

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 2734 OF 2018

Sunil Nitin Dabhade

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Shailesh Kharat for the applicant.

Mr. Ajay Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 17th OCTOBER, 2018.

P.C.:

. This is an application under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who has been arrested in C.R.No. 789/2018 registered with Chakan Police Station, Dist. Pune for offences punishable under sections 399, 402 of the Indian Penal Code.

2. Heard Mr. Shailesh Kharat, learned counsel for the applicant and Mr. Ajay Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the first information report lodged by Pramod Krishnaji Bhosale, Police

Hawaladar, Chakan Police Station. The first information report prima facie reveals that the first informant and other police personnel while they were on patrolling duty on 03/09/2018, at about 23:15 hours, in Mahdunge MIDC area, they had seen five persons standing in suspicious manner near tempo bearing no.MH14-CP-338. They tried to run away on seeing the police. Two of them were caught. They disclosed their name as Sunil Nitin Dabhade (*the applicant herein*) and Parshuram Shankar Kesapure. Upon taking personal search of these two persons, one knife was recovered from the possession of the applicant herein whereas the other co-accused/Parshuram was carrying chilli powder and nylon rope. It is further stated that the police had also recovered one hammer and sickle from the said vehicle. The applicant and the other co-accused were arrested as the police personnel suspected that they were making dacoity.

4. It is to be noted that the applicant is presently in judicial custody. The Investigation Officer had sufficient time to interrogate the applicant. The fact that the other applicants are absconding would not be a ground to detain the applicant.

5. Considering the above facts and circumstances and considering the nature of allegations against this applicant, this is a fit case for

grant of bail. Hence, the Bail Application is allowed on following terms and conditions :-

(a) The applicant who is arrested in C.R.No.789/2018 registered with Chakan Police Station, Dist. Pune is ordered to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Fifty Thousand) with one or two solvent sureties in the like amount.

(b) The applicant shall furnish his permanent address and temporary address, if any, and his contact details to the concerned Court.

(c) The applicant shall not change his residential address without prior intimation to the Investigation Officer and to the concerned Court.

(d) The applicant shall report to the Investigation Officer or in his absence to the Senior Police Inspector, Chakan Police Station, Dist. Pune on 1st Monday of every month until further orders.

(SMT. ANUJA PRABHUDESSAI, J.)