

*Nalawade*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTIONBAIL APPLICATION NO. 2745 OF 2017
Rejaul Akbar Shaikh vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. Shashikumar Kavatekar i/by Pankaj Kavale for the Applicant.

Mr. Ameet Palkar, APP. for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 28th June, 2018

P.C.

1. This is an application under Section 439 of the Cr.P.C. for bail in CR No. I-143/2017 dated 22.7.2017 registered with Kasarvadavali Police Station, Thane under Sections 399, 401, 457 of the I.P.C., under Sections 3 and 25 of the Arms Act and under Sections 37(1) and 135 of the Bombay Police Act.
2. Heard the learned counsel for the applicant and the learned APP. Perused the charge sheet.
3. As per the charge sheet the applicant is accused No.6. It is the prosecution case in brief that, on 22.7.2017, at about 00.15 a.m. the applicant along with other accused persons were

apprehended by the Investigating officer while they were making preparation for committing decoity at Bank of Maharashtra, Kasarvadavali Branch by breaking open the shutters of the adjoining room and caving way to the said branch. It is the further prosecution case that, the accused No.1 Sakim Soudagar Ali Shaikh was found in possession of a country made fire arm and other accused persons were having various gadgets such as gas cutter and other instruments which were to be used for breaking walls and lockers. The applicant was apprehended at the scene of offence. After completion of investigation the police have submitted charge sheet.

4. As noted earlier, the applicant is in Jail since 22.7.2017 and the police have already submitted charge sheet. It is submitted that there are no antecedents at the discredit of the application.

5. After perusing the entire charge sheet and taking into consideration the peculiar facts and circumstances of the present case, this Court is of the considered view that, the applicant can be released on bail.

Hence, the following order.

a) The applicant be released on bail in CR No. I-143/2017

dated 22.7.2017 registered with Kasarvadavali Police Station, Thane on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

b) After his release from Jail, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. and 1.00p.m. till the conclusion of the trial.

c) The applicant shall attend all the dates before the Trial Court unless precluded for medical reasons.

d) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

e) The application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)