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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 652 OF 2019**

Suresh Nana Khedekar

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Harshad Bhadbhade for the applicant

Mr. S. H. Yadav APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : MARCH 6, 2019.****P.C.**

After arrest on 27/01/2019, applicant is seeking regular bail in Crime no. 22/2019 registered with Khed Police Station, District Ratnagiri for offence punishable under sections 143, 144, 145, 146, 147, 148, 149, 152, 285, 307, 323, 324, 332, 333, 341, 352, 353, 397, 427, 435, 506 of the Indian Penal Code and section 3, 4 & 7 of Prevention of Damage to Public Property Act and Sections 135, 37(3) of Bombay Police Act, 1951.

2 The submissions are, there are no criminal antecedents or recovery effected from the applicant. Applicant was subjected to custodial interrogation and the investigation to the extent of role alleged against the applicant is already over. As such, it is claimed that applicant is entitled for bail.

3 The learned APP opposed the claim and submits that application is liable to be rejected as the offence is still under investigation. It is further claimed that if released, applicant might presurize witnesses or may indulge into similar type of offence.

4 Having considered rival submissions, the important issue which prevails upon this Court to consider the case of the applicant for grant of bail is, absence of antecedents.

5 Apart from above, no recovery is effected from the applicant. The role attributed to the applicant in the crime is already investigated into after the applicant was subjected to custodial interrogation.

6 That being so, in my opinion, application deserves to be allowed.

(A) Applicant be released on bail in Crime no. 22/2019 registered with Khed Police Station, District Ratnagiri on executing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(B) Applicant shall deposit an amount of Rs. 20,000/- with the Additional Sessions Judge, Khed towards damages caused to the public property which will be condition precedent for ordering release of the applicant.

(C) The amount which is deposited by the applicant to be diverted to account of Sub-Divisional Police Officer who can utilize the said amount in repairing the police vehicles which were damaged by the accused persons.

(D) The said deposit is without prejudice to the rights of the applicant.

(E) Applicant shall not influence witnesses or tamper with evidence.

7 Application stands disposed of.

[NITIN W. SAMBRE, J.]