

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

CRIMINAL BAIL APPLICATION NO. 54 of 2019

Kunal Vilas Bhosale ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Ghansham S. Jadhav for Applicant.

Ms. Rutuja Ambekar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 9, 2019.

P.C. :

. In Crime No. 210 of 2018 the Applicant is already chargesheeted for an offence punishable under Sections 399 & 402 of the Indian Penal Code. The Applicant is arrest on 24th August 2018.

2. The trial court has rejected the Application on the ground that there are four antecedents, details of which are as under :-

(a) Crime No. 546 of 2017 punishable under Sections 143, 147, 149, 324 and 341 of the Indian Penal Code.

- (b) Crime No. 619 of 2017 punishable under Sections 143, 147, 148, 149, 324, 323, 504, 506, 427 and 354 of the Indian Penal Code.
- (c) Crime No. 89 of 2017 under Sections 143, 147, 148, 149, 326, 324, 504 and 506 of the Indian Penal Code; and
- (d) Crime No. 246 of 2018 punishable under Section 395 of the Indian Penal Code.

3. The learned APP while opposing the bail before this Court relied upon such antecedents. It is not in dispute that in Crime No. 246 of 2018 in Bail Application No. 718 of 2018 the learned Sessions Judge has ordered release of the present Applicant along with other co-accused in the same crime, who are common in the present crime also. In the said Crime No. 246 of 2018 the offence is punishable under Section 395 of the Indian Penal Code. So far as the other offences are concerned, the same are punishable under Sections 324, 326, 427, 354 etc. of the Indian Penal Code.

4. In view of above, in my opinion, the Applicant also deserves to be released on the following conditions :-

- (A) In Crime No. 210 of 2018 punishable under Sections 399 & 402 of the Indian Penal Code, the Applicant be released on bail on executing PR bond of Rs.50,000/- with two sureties in the like amount.
 - (B) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.
 - (C) The Applicant shall attend the Investigating Officer on every Saturday of each Calender month.
 - (D) If it is noticed that the Applicant indulged in any other offence other than the five offences including the one, Prosecution is at liberty to move the Sessions Court for cancellation of bail.
5. Criminal Application stands allowed in above terms.

(NITIN W. SAMBRE, J.)