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

CRIMINAL BAIL APPLICATION NO.537 OF 2019

Shafik Asif Shaikh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Mateen Abdul Rahim Shaikh, for the Applicant.

Ms.P.P.Shinde, A.P.P for the Respondent - State.

API – Prakash Patil, Mahatma Phule Chowk Police Station, Thane.

CORAM : REVATI MOHITE DERE, J.

DATE : 28th JUNE, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-378 of 2018 registered with the Mahatma Phule Chowk Police Station, Thane, for the alleged offences punishable under Sections 394, 398 r/w 34 of the Indian Penal Code.

3. Perused the papers. According to the complainant – Ashish Thapa, the incident took place on 11th September, 2018 at about 7.30 p.m., when he along with his uncle – Sagar Thapa were walking on the sky-walk of Kalyan Railway Station. He has alleged that when they came near the staircase, near Gurudeo Hotel, three girls and one boy were standing there, and out of them, one slapped him (complainant) and one girl gave a stick blow on the right hand of the complainant's uncle. The complainant has further alleged that one girl forcibly removed from his pocket, cash worth Rs.18,270/- and his mobile phone. The applicant and the girls were arrested at the spot, by the passerby. It appears that out of the three girls, one girl ran away and two girls who were juvenile were produced before the Juvenile Court. The applicant is aged 18 years and has no antecedents. Investigation is complete and charge-sheet is filed.

4. In the peculiar facts and circumstances of this case; considering the age of the applicant and the fact that the applicant has no antecedents, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- iv) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;
- v) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.
6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.
7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.