

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

CRIMINAL BAIL APPLICATION NO. 982 OF 2019

Kishor Baban Shedge ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Hemant P. Ingle i/by Mr. Tushar N. Khandare,
Advocates for the Applicant.
Mr. Ajay Patil, A.P.P. for the Respondent-State.
Mr. Dinesh Chavan, A.P.I., Charkop Police Station.

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CORAM : SANDEEP. K. SHINDE, J.
DATE : 26th NOVEMBER 2019.

P.C.

1. Heard learned counsel for the applicant and learned A.P.P. for the Respondent - State.

2. Applicant is seeking bail in Crime No. I - 91 of 2016. Out of 5 accused, three are released on bail by the learned Sessions Court. Vinayak was released on 30.06.2016; Vinod on 21.06.2016; Vishal on 17.07.2016. This applicant was arrested on 16.11.2018.

3. It is alleged, the accused at the time of committing robbery attempted to cause injury to the complainant and his friend and robbed of valuables like a golden chain and cash and the wrist worth to Rs. 6,83,000/-.

4. Learned APP submits the applicant was absconding for two years. He has pointed out the statement of a jeweler to whom, it is alleged the stolen property (gold ornaments) was sold by the applicant. It is also pointed out a day before the alleged incident, all the accused were staying altogether in a hotel at Thane, as could be seen from the statement of hotel owner. Learned APP, therefore submits the application be rejected.

5. Three accused to whom, the similar role is attributed are released on bail within 3-4 months of their arrest. The role attributed to this applicant is in a similar which is attributed to three accused. The applicant is in custody since November, 2018 and no

criminal antecedents are brought to this notice of this Court.

6. In view of the facts and the nature of the accusation, the applicant is directed to be released on the bail.

ORDER

(i) The applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with the one or more sureties in the like amount;

(ii) The applicant shall cooperate in the investigation and report to the concerned police station twice a month on 1st and 15th day of subsiding month till the charge framed;

(iii) The applicant shall furnish particulars of his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, within a week from his release on

the bail to the Investigating Officer;

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. The application is allowed in the aforesaid terms and disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

(SANDEEP. K. SHINDE, J.)