

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

CRIMINAL BAIL APPLICATION NO. 1252 OF 2018

Shrijesh Sanjay Singh ... Applicant

Versus

The Union Territory of Daman ... Respondent

Ms. Sushma Pawar I/by Expert Jurist LLP for Applicant.

Mr. H. S. Venegaonkar for Respondent – Union of India.

Mr. M. G. Patil, APP for State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 31, 2019.

P.C. :

. In Crime No. 160 of 2017 for an offence punishable under Sections 107, 120-B, 201 of Indian Penal Code and Section 27(2) of Arms Act, the Applicant is seeking regular bail. The Applicant was arrested on 29th November 2017 and is chargesheeted.

2. The prosecution case is, the co-accused in the case in hand other than the present Applicant is accused in Crime No. 136 of 2016 which is fixed for recording of evidence. The father of the complainant appears to be the victim in the Crime No.136 of 2016. So as to deter the

father of the Complainant from giving any evidence against the co-accused in the crime in question, conspiracy is hatched by the Applicant and co-accused. As such he used fire arm in the commission of crime by firing at the closed office premises of the father of the Complainant.

3. In the custodial interrogation there is discovery of weapon, mobile, jacket and mask which is used by the Applicant.

4. The statement is made on instructions that there are no criminal antecedents.

5. Since the chargesheet in the matter is filed and the Applicant is behind the bars for more than one year, in my opinion, a case for grant of bail is made out. There is one reason which warrants release of the Applicant is that he is not accused in the earlier Crime No. 136 of 2016. That being so, a case for grant of bail is made out. Hence, the following order.

ORDER

(A) The Applicant be released on bail in Crime No. 160 of 2017 for an offence punishable under Sections 107, 120-B, 201 of Indian Penal

Code and Section 27(2) of Arms Act on executing PR bond of Rs.25,000/- with one surety in the like amount.

- (B) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.
- (C) In case if the Applicant is found involved in similar type of offence having even a remote connection with Crime No. 136 of 2016, the prosecution has every liberty to move for cancellation of bail.

6. The Criminal Bail Application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)