

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1810 OF 2018

Vikas Raju Ghumane, Age 24 years,
Occ.Nil, R/o.Opp.Darya Sagar Dhaba,
Near Malvani Church, Near Samshanbhumi,
Marve Road, Malvani Marve Road,
Malad (West), Mumbai

Applicant

versus

The State of Maharashtra

Respondent

Ms.Anjali Awasthi for applicant.

Ms.A.A.Takalkar, APP, for State.

Mr.G.S.Gharage, API, Khar Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 11th January 2019

PC :

1. This is an application for bail in CR No.211 of 2018 registered with Kurar Police Station for offences under Sections 395 r/w 34 of Indian Penal Code.
2. The applicant had preferred an application for bail before the Sessions Court which was rejected on 11th July 2018. The contention of the applicant is that there is no evidence to show his involvement in the present crime. The applicant was arrested in another case and his custody was sought in the present case. The applicant has not been identified nor there is any recovery.
3. Learned APP states that there are several antecedents against applicant. The applicant is involved in several cases relating to

property. It is, however, noted that after his arrest in another case, the applicant is being shown involved in the present case, which was registered against unknown persons. There is no cogent evidence to establish that the applicant is involved in the present case as there was no test identification parade identifying the applicant. There is no recovery from the applicant in the present case. Taking into consideration aforesaid circumstances, bail can be granted to the applicant on certain conditions.

4. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.1810 of 2018 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.211 of 2018 registered with Kurar Police Station, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Kurar Police Station once in a month on every first Saturday between 11 am and 1 pm till conclusion of trial;
- (iv) The applicant shall not tamper with the evidence and shall attend Trial Court proceedings regularly, unless exempted for some reason by the Trial Court.

(PRAKASH D. NAIK, J.)

MST