

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2776 OF 2018****WITH****BAIL APPLICATION NO. 2777 OF 2018**

Anwar Hussain Abdul Rashid Shaikh

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. M.H. Jahagirdar for the Applicant.

Mr. Ajay Patil APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 18th MARCH, 2019.****P.C.:-**

These are the Applications under Section 439 of the Code of Criminal Procedure for bail in CR No. 87 of 2013 dated 31st March, 2013 registered with Amboli Police Station under Sections 395, 397, 457 read with Section 34 of the Indian Penal Code and Sections 35 and 37 of the Mumbai Police Act and in CR No. 85 of 2013 dated 31st March, 2013 registered with Amboli Police Station under Sections 395, 397, 457, 506(2) read with Section 34 of the Indian Penal Code and Sections 35 and 37 of the Mumbai Police Act, respectively.

2 Heard the learned counsel appearing for the Applicant and

the learned APP. Perused the charge sheets.

Perusal of charge-sheets would indicate that except the statements of co-accused impleading the Applicant in the crimes, there is no other material available to connect the Applicant with the present crimes. The Applicant is arrested on 22nd September, 2017. The investigation has already been completed and the police have submitted charge-sheets. It is submitted that the co-accused namely Jalilmiya @ Chachu @ Joynal Nurat Hulak Sardar @ Shaikh has already been acquitted by the Trial Court.

3 In view of above, the Applicant can be released on bail.

Hence, the following order.

- a) The Applicant be released on bail in CR No. 87 of 2013 dated 31st March, 2013 registered with Amboli Police Station and in CR No. 85 of 2013 dated 31st March, 2013 registered with Amboli Police Station, respectively on his furnishing PR bond of Rs.15,000/- in each crime with one or two separate local sureties in the like amount.
- b) The Applicant shall attend all the dates before the

Trial Court unless precluded on medical reasons.

- c) Any two consecutive defaults in complying with the afore-stated conditions will attract the provisions of cancellation of bail.
- d) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

4 Applications are allowed in the aforesaid terms.

(A.S. GADKARI, J.)