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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2989 OF 2018

Sameer Khan Nasir Khan Pathan ..Applicant.

V/s.

State of Maharashtra ..Respondent.

Ms.Vrishali R.Raje for the applicant.

Ms.S.S.Kaushik, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 16, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. On April 25, 2018, the applicant came to be arrested in crime No.20/2018 for offence punishable under sections 465, 467, 468, 474, 420 and 120B read with 34 of the Indian Penal Code registered with Narploli police station, Bhiwandi, District Thane and charge-sheeted.

3. In the charge-sheet filed, there are in all 17 accused out of which, 9 are already released on bail. Over and above the

17 accused about 6 accused are absconding.

4. The role attributed in the crime in question is, the main accused after stealing vehicles used to change the chassis and engine number and the applicant assisted him in selling these vehicles. Out of the vehicles involved in the crime in question, 35 are already recovered from the prospective buyers.

5. But for the crime in question, there are no criminal antecedents against the applicant. Even otherwise, the maximum punishment provided for the offence is 7 years. In that view of the matter, in my opinion, the applicant deserves to be released on bail. Hence the order.

- i) The applicant be released on bail in Crime No.20/2018 for offence punishable under sections 465, 467, 468, 474, 420 and 120B read with 34 of the Indian Penal Code registered with Narploli police station, Bhiwandi, District Thane, upon furnishing P.R. bond of Rs.25,000/- with one or two sureties in the like amount;
- ii) The applicant shall attend the S.D.P.O., Vaijapur, District Aurangabad on every first and third Saturday of the English calendar month between 10.00 a.m. to 12.00 noon till the

disposal of the trial;

- iii) A single default on the part of the applicant will entitle the prosecution to move for cancellation of bail;
- iv) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- v) In case it is noticed that the applicant is involved in similar type of offence, it shall be open for the prosecution to move for cancellation of bail;
- vi) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)