

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.911 OF 2019

Akash s/o Prabhu Pandit .Vs. State of Maharashtra,through P.S.O, P.S.
Washim (City), Tq. and Dist. Washim.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. V.R. Deshpande, Advocate for applicant.
Mr. M.J. Khan, A.P.P. for non applicant- State.

CORAM : V. M. DESHPANDE, J.

DATED : OCTOBER 16, 2019

Heard Mr. Deshpande, learned counsel for the applicant and Mr.Khan, learned Additional Public Prosecutor for the State. Also perused the detailed reply filed on behalf of the prosecution to oppose present application for bail.

Applicant is arrested on 14.07.2019 in connection with Crime No.361/2019 registered with Police Station, Washim (City), Tq. and Dist. Washim for an offence punishable under Sections 399 and 402 of the Indian Penal Code, Sections 3 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

Mr. Atul Mohankar, Assistant Police Inspector, Local Crime Branch, Washim lodged a complaint in which it is stated that he received a secret information that some persons have gathered in front of Mauli Petrol Pump and they are making preparation to commit decoity. On receipt of this information the complainant along with other police staff reached to the place to notice gathering of about seven

persons. However, noticing presence of police party, two persons; Abdul Rajid alias Lalla Abdul Majid and one another taking advantage of darkness, ran away from the spot. Other five persons were apprehended and arrested on the spot itself. Applicant is one of those persons.

In the present case, the investigation is over and charge-sheet is already filed. The seizure panchanama shows that from the present applicant one knife was seized.

To a query made to the learned Additional Public Prosecutor as to whether the applicant is having any past criminal record, the learned Additional Public Prosecutor makes his solemn statement, on instructions, that there is no criminal case against the present applicant.

In view of the aforesaid fact and as the charge-sheet is already filed, the applicant can be released on bail on imposing certain conditions. Consequently, I pass following order :

ORDER

(i) Applicant - Akash s/o Prabhu Pandit, be released on bail in connection with Crime No.361/2019 registered with Police Station, Washim (City), Tq. and Dist. Washim, on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(ii) Applicant is directed to attend Police Station, Washim (City) thrice a week i.e. on every Tuesday, Thursday and Saturday and shall be with the investigating officer from 02:00 p.m. to 08:00 p.m. till culmination of the trial.

(iii) Applicant is directed to attend all the dates, once the case is committed to the Court of Sessions.

(iv) If the applicant fails to attend any two dates in the police station, it shall be open for the investigating officer to file a n application for cancellation of bail.

The application is disposed of.

JUDGE

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