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

**CRIMINAL BAIL APPLICATION NO. 596 OF 2019
WITH
CRIMINAL BAIL APPLICATION NO. 598 OF 2019**

Deepak Uttamrao Patil

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Ajinkya Badar for the applicants
Mrs. P. P. Shinde APP for respondent State
Dy. S.P. Jyoti T. Amame, CID Kolhapur Unit

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 11, 2020.

P.C.

In both these applications, applicant is seeking regular bail in Crime No. 48 of 2017 registered with Kodoli Police Station for offence punishable under Sections 454, 380, 120B, 166, 167, 411, 409 r/w 34 of the Indian Penal Code and in Crime No. 49 of 2017 registered with Kodoli Police Station for offence punishable under Sections 454, 380, 409, 120B, 166, 167 r/w 34 of Indian Penal Code.

2] Case of the prosecution is, co-accused in both these crimes by name Mohiddin Mulla was apprehended on suspicion and during house search and body search, cash worth more than Rs. 3 Crores was recovered.

3] During investigation, it was noticed that said cash was stolen by accused Mulla from a place called Warnanagar.

4] Person to whom the said cash was belonging by name Mr. Sarnobat has registered an independent complaint resulting into crime no. 41 of 2016 wherein it is claimed that cash worth about Rs. 3 Crores was stolen. Said Sarnobat in his subsequent statements has increased amount of cash to about Rs. 6 Crores.

5] Be that as it may, as far as the role attributed to the applicant in Crime nos. 48 of 2017 and 49 of 2017 is concerned, in the capacity of police constable attached to local crime branch, Sangli alongwith his senior officers, he has stolen cash on 13th and 15th March, 2016.

6] Learned APP submits that bail application is required to be

rejected on the ground that from the account of the wife of the applicant, flow of cash was noticed so also his father did some charity in the village from the amount involved in the crime in question.

7] Considered submissions.

8] Fact remains that applicant is behind bar for more than two years. Maximum punishment provided is 10 years for offence of breach of trust. He was subjected to custodial interrogation and already he was charge-sheeted. Apart from these two offences, there are no criminal antecedents. Applicant is very much available for the prosecution.

9] In the aforesaid background, no fruitful purpose will be served in ordering further detention of the applicant. Hence, following order:

(I) Applicant be released on bail in both crime numbers registered with Kodoli Police Station i.e. Crime No. 48 of 2017 for offence punishable under Sections 454, 380, 120B, 166, 167, 411, 409 r/w 34 of the Indian Penal Code and 49 of 2017 for offence punishable under Sections 454, 380, 409,

120B, 166, 167 r/w 34 of Indian Penal Code. on furnishing P.R. bond in the sum of Rs. 1 Lakh with one or more local sureties in the like amount.

(II) Applicant shall not influence witnesses or tamper with evidence.

(III) On two consecutive absence before the Trial Court will entail the cancellation of bail at the behest of Prosecution.

(IV) Applicant shall not leave jurisdiction of Sangli district without prior permission of the Court and investigating agency.

10] Applications stand disposed of.

[NITIN W. SAMBRE, J.]