

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

22 BAIL APPLICATION NO.475 OF 2021

SACHIN ASHOK ROKDE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr.Ingle Kachru A.
APP for Respondent-State : Mrs. V.S. Chaudhari
...

CORAM : **SANDEEP K. SHINDE , J.**

Date :-05th July, 2021.

P. C. :

1. Heard Mr. Ingale, the learned counsel for the applicants and Mr. Chaudhari, learned APP for the State.
2. It is an application for bail, in Crime No. 390 of 2020 dated 10.09.2020, registered with Karmad Police Station, Tq. & Dist. Aurangabad for the offences punishable under Sections 397, 394, 392 read with Section 34 of the Indian Penal Code ('IPC' for short).
3. The alleged incident of robbery had taken place on 09th September, 2020. Prosecution alleged, the accused caused grievous injury to the complainant and her family member. The value of the ornaments allegedly robbed, was around 20,000/-. The prosecution has recovered the ornaments from the accused No. 1, while he was in custody in another offence i.e. crime No. 105 f 2020, registered under Section 379

and 394 of IPC. Admittedly, the test identification parade has not been conducted. The prosecution solely relies on the recovery panchanama drawn in Crime No. 105 of 2020 and the supplementary statement of the complainant, Subhadrabai Manikrao Salve recorded on 13th October, 2020. Her statement acknowledges a fact that the ornaments allegedly recovered from the applicant No. 1 were the same of which she was robbed of, on 09th September, 2020. Except the recovery of the ornaments, the prosecution has not made any efforts to bring such other evidence on record. The view of the fact of the case and for the reasons stated above, the applicant is directed to be released on bail. Application is granted on following terms :

ORDER

i) Crime No. 390 of 2020 dated 10.09.2020, registered with Karmad Police Station, Tq. & Dist. Aurangabad, shall be released on bail on executing a PR bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one or more sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer once in a month on every second Monday of each month, between 11:00 to 1:00 p.m. and continue to report till the charge is framed and co-operate in the investigation.

3. The application is accordingly allowed and disposed off.

4. It is made clear that, observations made herein above, shall

be construed as expression of opinion for the purpose of granting bail only and the same shall not, in any way, influence the trial in other proceedings.

(SANDEEP K. SHINDE)
JUDGE

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