

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

CRIMINAL BAIL APPLICATION NO. 298 OF 2021

Saurabh Mansing Yadav	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Aniket Nikam i/b Piyush Toshniwal, for the Applicant.
Ms. Pallavi N. Dabholkar, APP for the State/Respondent.
API Vikas P. Shinde, Medha Police Station, Satara, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 20th JANUARY, 2021

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No. 140 of 2020, dated 14/07/2020 registered at Medha Police Station, District Satara under Sections 454, 457, 380 of the Indian Penal Code.

2. The FIR was lodged by one Gajarabai Mohite. She has stated that on 14/07/2020, somebody had entered her house and stolen ornaments worth more than Rs.3 lakhs. On this basis the FIR was lodged.

3. Heard Mr. Aniket Nikam, the learned Counsel for the applicant and Ms. P.N. Dabholkar, the learned APP for the State.

4. The learned Counsel for the applicant submitted that the applicant was arrested on 18/12/2020 and since then he is in custody. He has submitted that from the remand report annexed to this application, it is clearly seen that the applicant is not involved in any manner in the present case.

5. The learned APP on instructions of the investigating Officer, who is present in the Court, fairly submitted that beyond what is mentioned in the remand report, there is no material against the present applicant.

6. I have considered all these submissions. In the remand report, prosecution case is mentioned that on 17/12/2020, three accused were arrested. They were Sagar Parte and two juvenile offenders. They were found

in suspicious circumstances and they were accosted. They accepted that they had committed this offence between 13/07/2020 and 14/07/2020. Remand report mentioned that the accused Sagar Parte stole the ornaments and gave them to one Nitin Bhosale for converting them in a block by melting them. The allegations are that, Nitin Bhosale, in turn called his friend,(whose name is not disclosed) and gave that parcel to him. This unknown person, in turn, called the present applicant and told him to collect a parcel given by Nitin Bhosale. Applicant, as per instructions, collected that parcel. Applicant received a phone call from accused Parte. Accused Parte took that parcel from the applicant and then was trying to sell those articles.

7. Thus, from the remand report itself, it appears that there is hardly any incriminating circumstances against the present applicant. He had simply collected the parcel because that unknown person had told him to do so. It was taken back by the main accused Parte.

There is nothing to show that the applicant was even aware of what was in the parcel and about commission of any offence. Applicant is only 19 years of age. Thus considering absence of any incriminating circumstances against him, the application deserves to be allowed. Hence the following order.

ORDER

- (i) In connection with C.R. No. 140 of 2020 registered with Medha Police Station, District Satara, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)