

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

**CRIMINAL BAIL APPLICATION NO.1737 OF 2021**

|                              |              |
|------------------------------|--------------|
| Mohammad Sharif Aslam Shaikh | ..Applicant  |
| Versus                       |              |
| The State of Maharashtra     | ..Respondent |

Mr. Sujit Sahoo a/w Mr. Saugata Hazra, Advocate for the Applicant.  
Mr. M. G. Patil, APP for the Respondent - State.  
Mr. Nivas Shinde, PSI, Nerul Police Station, Navi Mumbai – present.

**CORAM : NITIN W. SAMBRE, J.**

**DATE : 22<sup>nd</sup> NOVEMBER, 2021**

**PC.**

1. Applicant came to be arrested on 8<sup>th</sup> October, 2019 for an offence in Crime No.436 of 2019 registered with Nerul, Navi Mumbai Police Station for the offence punishable under Section 394, 395, 402 r/w 34 of IPC.

2. The prosecution case against the applicant is that of robbery. However, in the narration of actual incident except for the bag which was allegedly of the complainant, no other incriminating material was recovered from the applicant after custodial interrogation.

3. Though the complainant has identified the applicant, no specific overt act in the commission of an offence in question is

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alleged against the applicant but for his physical presence. There are no criminal antecedents against the applicant.

4. Applicant has suffered incarceration from last more than two years.

5. As such, case for grant of bail is made out.

6. Applicant is directed to be released on bail in Crime No.436 of 2019 registered with Nerul, Navi Mumbai Police Station for the offence punishable under Section 394, 395, 402 r/w 34 of IPC on executing P. R. bond of Rs.25,000/- with one or more sureties in the like amount.

6. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence.

7. Applicant shall attend the trial regularly.

8. As such, application stands disposed of.

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signed by  
BALAJI  
GOVINDRAO  
PANCHAL  
Date:  
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[NITIN W. SAMBRE, J.]