

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

CRIMINAL BAIL APPLICATION NO. 559 OF 2021

1. Regal Paul Selwin	
2. Kewal Arvind Jawadiya	... Applicants
Versus	
The State of Maharashtra	... Respondent

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Mr. Samir Pradhan, Advocate for the Applicants.
Mr. A. R. Kapadnis, APP for the Respondent – State.
Mr. V. N. Pansare, A. P. I. Dadar Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.
DATE : 10th MARCH, 2021

PER COURT:

1. This is an application for bail in connection with C.R.No.198/20 registered with Dadar Police Station, Mumbai for offence under section 395 of the Indian Penal Code.

2. The FIR is lodged by Rohit Suresh Jaiswal on 23/05/2020. The Applicants are arrested on 24/05/2020 and since then they are in custody. The investigation is over and the charge-sheet is filed against him.

3. The case of the prosecution is that, on 23/05/2020, at about 06.15 p.m., when the first informant and his friend Vaibhav had gone to ATM centre on his Suzuki Scooter; two persons

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approached them. On some pretext they started conversing with the informant. One of them tried to snatch Vaibhav's belongings from his pocket, but Vaibhav resisted. Within a short span of time, two more persons came there. One of them removed mobile phone from the informant's pocket. He removed knife to threaten the informant. Two more persons came there riding on Activa scooter. All of them started assaulting the informant. The informant and his friend ran away from the spot. They returned to spot after some time. They saw two offenders on the informant's scooter going towards Dadar. Other offenders were proceeding towards Dhanmil corner on their two wheelers.

4. Learned counsel for the Applicants submitted that the Applicants are falsely implicated. There is no connecting piece of evidence against them. There is no identification of the Applicants. No property is recovered from the them.

5. The applicants were arrested on 24th May, 2020. The recovery of cell phone and the scooty are at the instance of the other accused. There are no criminal antecedents against the applicants. Hence, case for grant of bail is made out.

ORDER

(i) Criminal Bail Application No. 559 of 2021 is allowed;

- (ii) The applicants are directed to be released on bail in connection with C.R.No.198/20 registered with Dadar Police Station, Mumbai on executing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;
- (iii) The applicants shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. for a period of six months from today.
- (iv) The applicants are permitted to furnish cash bail in the sum of Rs.25,000/- each for a period of eight weeks in lieu of surety.
- (v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)