

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1554 OF 2020

Sachin Namdeo Mashal

Applicant

versus

The State of Maharashtra

Respondent

Ms.Anjali Patil for applicant.

Ms.Anamika Malhotra, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 24th March 2021

PC :

1. This is an application for bail in CR No.225 of 2016 registered with Wadala Railway Police Station for offences under Sections 395 of Indian Penal Code. The FIR was registered on 31st December 2016.

2. The complainant has alleged that on 30th December 2016 the complainant had boarded local train. When the train reached Kurla Railway Station, four unknown persons boarded the train. When the train reached at Wadala Railway Station, the complainant tried to alight from the train. One of the accused had pointed out knife at him and restrained him from getting down from the train. When the train left station, other persons snatched his gold chain and removed cell phone as well as cash from his possession. They also snatched bag which was in possession of complainant. The value of the articles taken from complainant was around Rs.55,700/-. The applicant was arrested on 9th June 2017. The co-accused were also arrested. Charge sheet was filed.

Manish
S. Thatte

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3. Learned advocate for the applicant submitted that all the other accused are on bail. The applicant has been identified, however, no specific overt act has been attributed to him. The applicant is in custody since last four and half years. Whereas, learned APP submitted that applicant has been identified in test identification parade. There is recovery of gold chain from applicant. There are six other cases registered against applicant. The applicant is also seen in CCTV footage.

4. It is pertinent to note that the applicant is in custody for substantial period of time. It is contended that trial has not commenced. All the other accused are on bail. Considering the circumstances, bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Bail Application is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.225 of 2016 registered with Wadala Railway Police Station on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Wadala Railway Police Station once in three months on first Saturday of the month between 11 am and 1 pm till framing of charge;
- (iv) The applicant is permitted to furnish provisional cash bail in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.

5. This order will be digitally signed by the Private Secretary of

this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST