

secret information that there were some persons in one silver coloured vehicle on the Yeola-Manmad Road, near Dashmesh Hotel and that they were attempting to commit house breaking and dacoity. Pursuant thereto, the police personnel alongwith panchas raided the said place. The car was found behind the hotel and the occupants of the vehicle were apprehended. On taking search of the vehicle, the police allegedly found chopper, nylon string, iron rod and red chilli powder. The applicant was apprehended at the spot.

4. Learned Counsel for the applicant submits that the allegations as against the applicant are false and baseless. Learned Counsel for the applicant has tendered an affidavit of the applicant duly affirmed before the Superintendent, Nashik Road Central Prison. In the said undertaking the applicant has stated that he is a student of Bachelor of Arts (BA), in the third year, in K.J. Somaiya College, at Kopergaon. The applicant has further undertaken that if released on bail, he would continue his further education and has undertaken not to indulge in criminal activity. The said affidavit is taken on record.

5. The applicant is a student and is in custody since January 2021. Investigation is complete and charge-sheet is filed.

6. Having regard to the peculiar facts of this case and also the affidavit filed by the applicant, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month from 10:00 a.m. to 1:00 p.m. till the conclusion of the trial;
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

- (v) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;
- (vi) The applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of his release;
- (vii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.