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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3955 OF 2021**

RAJKUMAR @ DABBU MEWALAL
KANOJIYA

....Applicant.

V/s

THE STATE OF MAHARASHTRA

.....Respondent

Ms. Vandana Singh i/b Amarjeet Yadav for the Applicant.

Ms. Sharmila A. Kaushik, APP for the Respondent/State.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 03, 2021

P.C.:-

1] Perused the charge-sheet.

2] Applicant was arrested on 26/2/2021 and chargesheeted for the offence punishable under Section 436 read with Section 34 of the IPC i.e. mischief by fire. The co-accused Rajesh and one another are already released on the very next date of the offence. Applicant has suffered incarceration for more than 10 months. Role attributed to the Applicant is of physical presence only and not of active participation. Applicant is therefore entitled to be released on bail.

3] In the result, Applicant is directed to be released on bail in C.R. No.32 of 2021 registered with Kurar Police Station for the offence punishable under Section 436 read with Section 34 of the IPC on

furnishing P.R. Bond in the sum of Rs 5000/- with one or more sureties in the like amount. Applicant shall neither influence the witnesses of the prosecution nor tamper with the evidence.

4] Application is disposed of.

(NITIN W. SAMBRE, J.)