

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (BA) No. 701 of 2021

[Ramesh @ Putti S/o Ramkisan Ravidas ..vs.. The State of Maharashtra through P.S.O. P.S., Parseoni,
Dist. Nagpur]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. R. Thakur, Advocate for the applicant
Mr. M. K. Pathan, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 18-08-2021

The applicant is seeking bail in connection with Crime 316/2020 registered with Police Station, Parseoni, District Nagpur for the offences punishable under Sections 395, 392, 341, 120-B read with Section 34 of the Indian Penal Code and Section 4/25 of the Arms Act.

2. The crime is registered on the basis of report lodged by Pradip Sakhare, who alleged that on 17-12-2020 at 22.00 Hrs. at Pardi Shivar, when he was travelling in his car along with driver Bablu and the applicant herein, three unknown persons stopped the car and snatched gold ornaments and mobile handset worth Rs. 2,82,000/- after brandishing sharp weapons.

According to the report, cash and mobile handset worth Rs. 13,500/- was also snatched from the complainant.

3. However, during the course of investigation, on the basis of disclosures made by the co-accused, the applicant came to be implicated in the crime and the prosecution case now is that all the accused, who are friends of Pradip Sakhare hatched a conspiracy to rob him of the ornaments and that it was the applicant who was keeping co-accused posted of the movements of Pradip Sakhare.

4. Except accused 1 Shakir, from whom the gold ornaments were recovered, the other accused are released on bail. I have perused the charge-sheet and I do not see any material difference in the case of the applicant and the said co-accused. Other than the disclosure made by the co-accused, there does not appear any material to link the applicant with the alleged conspiracy. This of course is a *prima facie* observation made for the limited purpose of deciding the bail application and it would for the trial Court to come to an

appropriate conclusion on the basis of evidence adduced. It is true that the applicant is facing four prosecutions. However, three are under the Prohibition Act and one is for offence punishable under Section 323 of the Indian Penal Code. In any event, considering the factual matrix, I am not inclined to reject the bail only on the ground of adverse antecedents.

5. The application is allowed subject to the following conditions.

(a) The applicant be released on bail on furnishing PR bond of ₹ 16,000/- (Rupees Sixteen Thousand) with solvent surety of like amount.

(b) The applicant shall not tamper with the evidence or make any attempt to influence the witnesses, directly or indirectly.

(c) The applicant shall not leave the country without the permission of the jurisdictional Court.

JUDGE