

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.650 OF 2022

Chandrakant s/o Dinkar Kakde & anr. ... **APPLICANTS**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Mr. S.S. Thombre, Advocate for applicants
Mr. V.S. Badakh, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 20th JULY, 2022.

PER COURT :

This is application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0431/2021, registered at Hingoli City Police Station, Taluka and District Hingoli for the offences punishable under Sections 397, 394, 342, 506 read with Section 34 of the Indian Penal Code. The F.I.R. has been lodged by the victim herself. It has been alleged therein that, two unknown persons entered her house. She was robbed of gold ornaments and cash as well at a gun point. Ornaments on the person of her child were also removed. Then the culprits fled.

2. The F.I.R. has been lodged against unknown persons. Even the description of the culprits has not been given in the F.I.R. It is not known as to how the present applicants came to be arrested. From the police papers, it appears that, both the applicants were present at some place and when they were intercepted, one of them was found in possession of air-gun. On custodial interrogation, the prosecution claimed them to have confessed commission of the crime in question.

3. The learned A.P.P. has strongly objected to grant the application.

4. One of the applicant is 20 years of age. The other one is of 24. They have no criminal antecedents. Their description did not figure in the F.I.R. Both the applicants are stated to be students of Engineering stream. On investigation, the charge sheet has been filed. It will take time for commencement and conclusion of the trial. Hence, I am inclined to grant bail to the applicant. Hence the order :-

ORDER

(i) The Bail Application is allowed.

(ii) The applicants shall be released on bail in connection with Crime No.0431/2021, registered at Hingoli City Police Station, Taluka and District Hingoli for the offences punishable under Sections 397, 394, 342, 506 read with Section 34 of the Indian Penal Code on their executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) each with one surety in the like amount.

(iii) The applicants shall not tamper with the prosecution evidence. The applicants shall mark their presence at the concerned police station on every Sunday between 12.00 Hrs. and 1.00 p.m. for next six months.

**(R. G. AVACHAT)
JUDGE**

fmp/-