

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

BAIL APPLICATION NO. 772 OF 2022

Rajendra Bhiru Landge

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. R.B. Dhaware, Advocate for applicant
Mr. S.P. Sonpawale, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 05th AUGUST, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 111 of 2022 registered with Kaij Police Station, Dist. Beed for the offences punishable under Sections 328, 379 read with Section 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The F.I.R. has been lodged by the victim himself on 08th April, 2022. It is his case that while he was passing by Chatrapati Bank at 11.30

a.m., he met with one unknown person. That person called the informant close to him. That person told the informant that he wanted to talk in connection with marriage proposal of his daughter. The informant joined him. That fellow was having a wire bag with him. That fellow took the informant to a nearby sweet mart (Paras Sweet Home). He picked up a Sprite bottle (cold drink) from the bag. He also gave a banana to the informant. On having consumed the same, the informant suffered dizziness. That person again took the informant with him towards Kranti Nagar. He then took him to a secluded place in a field and made him sit under a tree. The informant suffered drowsiness. He became semi-unconscious. After a while, he realised that his two gold rings were stolen by that person. The informant then came to a rickshaw pick-up point. Thereafter he lodged the F.I.R. on 08th April, 2022.

4. During investigation the applicant was arrested. He has been identified in test identification parade. Gold rings have been recovered pursuant to the disclosure statement made by the applicant. On investigation of the crime, the charge-sheet has been filed. The applicant has similar criminal antecedents in two crimes, one is of 2008 and another of 2016. It is informed by learned counsel for the applicant that the applicant has been acquitted of one of those crimes.

5. Since the charge-sheet has been filed and the stolen gold rings have been recovered, the Court is inclined to grant the applicant bail. The applicant is behind the bars for about three months. It will take time for commencement and conclusion of trial.

6. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released, in connection with Crime No. 111 of 2022 registered with Kaij Police Station, Dist. Beed for the offences punishable under Sections 328, 379 read with Section 34 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall mark his appearance in the concerned police station on every Sunday between 12.00 noon to 01.00 p.m. till conclusion of trial.

(IV) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)