

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

BAIL APPLICATION NO.892 OF 2022

Bandu @ Manik s/o. Trimbak Sirsat ..Applicant

Vs.

The State of Maharashtra ..Respondent

Mr.R.G.Hange, Advocate for applicant
Mr.A.V.Deshmukh, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : JULY 29, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0027 of 2022 registered with Neknoor Police Station, Dist.Beed..

2. Heard learned counsel appearing for the parties.

3. It is the case of the prosecution that the applicant administered some stupefying substance in cold drink to the informant/victim and relieved him of his gold wring worth Rs.43,000/-. The FIR was registered against unknown person. The applicant was arrested on suspicion. In the T.I. parade, the informant has identified

the applicant. It is informed that the applicant has criminal antecedents and he is involved in not less than nine such cases. Four-five of them are like present one.

4. The applicant is 50 years of age. Charge sheet has been filed. It will take time for commencement and conclusion of the trial. The applicant is behind the bars for little over four months. There is no recovery. There is statement of one Dr. Shaikh Zuber. There is C.C.T.V. camera installed in Shikshak Colony, Neknoor. The applicant was seen in the C.C.T.V. footage on 13.02.2022. Same indicates that he was passing by that area at about 10:25 a.m.

5. Learned counsel for the applicant submits that said witness has, however, given a statement that the time of his C.C.T.V. was running slow by 3 hours and 48 minutes. The applicant wants to make out a case of alibi. Same can be done during trial of the case.

6. Suffice it to say that on investigation, charge sheet has been filed and it will take time for commencement and conclusion thereof. In view thereof, the application deserves to be allowed.

7. Hence, the following order:-

- (i) The application is allowed.
- (ii) The applicant be released in connection with Crime No.0027 of 2022 registered with Neknoor Police Station, Dist.Beed, 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 not tamper with the prosecution evidence in any manner.
- (iv) The applicant shall mark attendance everyday at Kaij Police Station, Dist. Beed, between 11.00 a.m. and 12.00 noon, until conclusion of trial.

[R.G. AVACHAT, J.]

KBP