

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

BAIL APPLICATION NO.1145 OF 2022

Rahul s/o. Harichandra Shinde
@ Rahul Harischandr Shinde

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.R.R.Khandebharad, Advocate for applicant
Mr.S.P.Sonpavale, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 18, 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.0256 of 2022 registered with Karmad Police Station, Dist.Aurangabad.

2. Heard learned counsel appearing for the parties.

3. The FIR has been lodged by the victim himself on 01.07.2022. The informant/victim and his co-brother were serving as Managers with country liquor shops at Georai. Both of them were returning on Scooty on the night of 30.06.2022. In the dickey of the Scooty, there was cash amounting to Rs.2,50,000/-. By 10.30 p.m.,

opposite Hotel Ashirwad on Aurangabad – Jalna road, first of three persons came on motor bike from behind. One of the three persons pushed the Scooty, as a result of which both the informant and his co-brother fell off the Scooty. Other three persons came on another motor bike. All the six beat up the informant and the co-brother and robbed Rs.2,25,000/-.

4. Learned counsel for the applicant would submit that as per the FIR, crime was committed by six persons. The Investigating Officer, however, added seven persons. No description of the culprits has been given in the FIR. The applicant has been transferred in the present crime while he was arrested in some other crime. An amount of Rs.14,000/- has been recovered from him. The recovered amount cannot be said to be a part of the robbed money. According to him, the applicant is just 21 years of age. He is behind the bars for little over one and half months.

5. Learned APP would submit that the applicant has criminal antecedents. The applicant has been identified in the T.I. parade. The sum of Rs.14,000/- has been recovered from him. Investigation of the crime is underway. He, therefore, urged for rejection of the application.

6. Considered the submissions. Perused the FIR and the related papers. True, the informant has identified the applicant in the T.I. parade. The FIR is silent to give description of the culprits. The applicant is behind the bars for one and half months. He is 21 years of age. Considering the age of the application, the Court is inclined to grant bail to the applicant.

7. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0256 of 2022 registered with Karmad Police Station, Dist.Aurangabad, 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) Till next four months, the applicant shall attend Jalna City Police Station, everyday at 8:00 p.m.

[R.G. AVACHAT, J.]

KBP