

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.356 OF 2022

Manik Gulab Kale

... Applicant

versus

The State of Maharashtra

... Respondent

Mr. Sharad Bhosale, for Applicant.

Ms. P.N.Dabholkar, APP, for State.

CORAM: N.J.JAMADAR, J.

DATE : 6th JULY, 2022

P.C.

1. This is an application to enlarge the Applicant on bail. The Applicant has been arraigned in C.R.No.231 of 2021 registered with Barshi Taluka Police Station for the offences punishable under Section 379 and 427 of the Indian Penal Code, 1860, with the allegations that the Applicant and the co-accused committed theft of aluminum wire from the additional DP No.2 of MSEDCL installed at Shergaon Valhe, Barshi. The Applicant and the co-accused allegedly committed mischief as well.

2. The Applicant came to be arrested on 11th October, 2021. Pursuant to the discovery made by the accused, pieces of aluminum wire weighing approximately 200 kg have been recovered while the Applicant was in custody in another crime i.e. C.R.No.216 of 2021.

3. The learned Additional Sessions Judge, Barshi was persuaded to reject

the Application as 8-9 identical crimes have been registered against the Applicant.

4. The learned Advocate for the Applicant attempted to explain away the registration of multiple crimes against the Applicant by canvassing a submission that the Applicant has been implicated in a series of offences, post arrest in one case. In rest of the crimes, the Applicant has been released on bail.

5. Post completion of investigation, charge sheet has been filed. It implies the investigation is complete for all intent and purpose. Substantial stolen property seems to have been recovered. Further detention of the Applicant seems unwarranted.

6. Having regard to the nature of the offence and the fact that the Applicant is in custody since 11th October, 2021, I am inclined to exercise the discretion in favour of the Applicant. Hence, the following order :

ORDER

(i) The Application stands allowed.

(ii) The Applicant – Manik Gulab Kale be released on bail in C.R.No.231 of 2021 registered with Barshi Taluka Police Station, on furnishing a PR bond in the sum of Rs.15,000/- and one or two sureties in the like amount, to the satisfaction of the learned Sessions Judge, Barshi.

(ii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.

(iii) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(N.J.JAMADAR,J.)