

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

BAIL APPLICATION NO.919 OF 2022

Ravindra Hiranman Raut

Age 32 years, Occ: Agriculturist,

R/a Smarak Nagar, Taluka Peth

Dist-Nashik.

... Applicant/Accused.

Versus

The State of Maharashtra

Through Sr.PI, Lasalgaon Police

Station, Tal-Niphad, Dist.Nashik .. Respondent.

...

Mr Harshad Inamdar, Advocate for the Applicant.

Mr M.G.Patil, APP for the State.

...

CORAM : R. N.LADDHA, J.

DATE : 23 DECEMBER 2022

P.C.:

Heard learned Counsel for the parties.

2. By this application, the Applicant is seeking bail in connection with C.R.No.734 of 2021 registered at Lasalgaon Police Station, Nashik against the Applicant and other accused for the offences punishable under Sections 489-B, 489-C, 489-E r/w 34 of the Indian Penal Code, 1860.

3. Mr Harshad Inamdar, learned Counsel appearing on behalf of the Applicant, submitted that the Applicant has been languishing in jail since 12.10.2021. The investigation is complete for all intent and purpose, and the charge sheet has been filed. It is submitted that the trial is not yet started. It is submitted that co-accused Mohan and Vitthal at whose behest recovery was made were already enlarged on bail. It is submitted that the Applicant has no criminal antecedents, and he has roots in Society. It is submitted that there is no possibility of the Applicant fleeing away or tampering with the witnesses, and if he is enlarged on bail, he will not misuse the liberty of bail.

4. Mr M.G.Patil, learned Additional Public Prosecutor appearing for the State, submitted that the offence was committed in well-planned design by the Applicant and other accused. With their common intention, they had committed the crime. The offence is serious. It is submitted that the Applicant was actively involved in the offence that led to the registration of the FIR against him. It is submitted that the Applicant was apprehended on the spot.

5. This Court has perused the Application, Charge Sheet filed along with the documents placed on record. It reveals from the record that the Applicant has been behind bars for more than a year. There is nothing on record to show that the Applicant has

criminal antecedents. Nothing is to be recovered from the Applicant. It further appears from record that his bail application was rejected by the Sessions Court only on the ground that other two co-accused are still absconding and they are to be arrested. The investigation is complete and charge sheet is filed as far back as 15.12.2021. The trial is not yet started. The Applicant cannot be said to be at flight risk. No fruitful purpose will be served by keeping the Applicant behind bars.

6. In such a situation, this Court is convinced that bail can be granted to the Applicants, subject to appropriate conditions.

7. Given the above, the Application is allowed in the following terms :

ORDER

a) The Applicant Ravindra Hiranman Raut shall be released on bail in C.R.No.734 of 2021 registered at Lasalgaon Police Station, Nashik, on furnishing a P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Court.

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

- c) The Applicant shall furnish the permanent address and contact details to the Inspector of Police of the concerned Police Station and intimate the change, if any.
- d) The Applicant shall regularly attend the proceedings before the trial Court.

8. Needless to say, violating any of the conditions above will make the Applicant liable for cancellation of bail.

9. It is made clear that the observations made herein are prima facie, and the trial Court shall decide the case on its own merits, in accordance with the law, uninfluenced by the observations made in this order.

10. All the parties to act on an authenticated copy of this Order.

[R. N. LADDHA, J.]