

rajshree

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1054 OF 2022

Sonukumar Raghav Singh	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Mr.Rakesh Jadhav, for the Applicant.

Mrs.Rutuja Ambekar, APP for the State.

PSI V.S. Sawant, Sewree Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 3rd OCTOBER, 2022.

P.C.

1] The Applicant is charged for the offence under Sections 419, 420, 306 of the Indian Penal Code read with Section 3 of the Black magic Act. He is incarcerated for last one year and seek his release on bail.

2] The charge-sheet compile the chits written by the deceased, which has been construed as instigation for him to commit suicide. The chits are recovered from the house of the deceased where he has blamed the present Applicant with whom he was in contact on telephone and WhatsApp messages stating that he was in distress and some way of hope was coming to him through the Applicant.

Though the investigation has revealed that an amount of Rs.3,27,000/- was paid in the account of the co-accused at the instance

of the present Applicant, the deceased in his note state that he had parted with huge sum of Rs.10 Lakhs to 12 Lakhs. The source of this income is, however, not known and from the chit it appears that it is not that that the Applicant is the only person whom he blamed, but he state that he is in debt and that some amounts are to be repaid and some amount is due and payable to him.

An abrupt allegation that he has been duped for Rs.10 to 12 Lakhs by the Applicant, cannot be accepted as a gospel truth, as the specific submission of the learned counsel for the Applicant is that the Applicant is residing in Uttar Pradesh and except the banking transactions, he never have any reason to meet the applicant in person and therefore, he has never received any amount in cash.

3] The learned counsel for the Applicant makes a categorical statement that since the bank transactions are not denied, he shall deposit an amount of Rs. 1 Lakh with the Investigating Officer on every date when he will report for attendance and thereafter the amount shall be paid to the widow of the deceased. Subject to the aforesaid statement being made by the learned counsel for the Applicant, he deserves to be released on bail.

Hence, the following order :

ORDER

- (a) Application is allowed.
- (b) Applicant – Sonukumar Raghav Singh shall be enlarged on bail in connection with C.R.No.150/2020 registered at Sewree Police Station on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount, out of which one surety shall be from the State

of Maharashtra.

(c) The Applicant shall be released on cash bail of Rs.25,000/- for a period of six weeks in lieu of sureties. During the said period the applicant shall arrange for the sureties.

(d) The applicant shall mark his attendance to the concerned Police Station, firstly on 17.10.2022 and thereafter every month between 3.00 p.m. to 5.00 p.m.. And on first three visits he shall deposit a sum of Rs.1 Lakh with the Investigating Officer, which shall be paid to the complainant and an acknowledgment to that effect shall be obtained. Thereafter, the Applicant shall mark his attendance to the concerned Police Station on first Monday of every trimester, till framing of charge.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(f) The Applicant shall regularly attend trial, on every date, unless exempted.

(g) The Applicant shall furnish his residential address and contact number to the Investigating Officer and shall keep him updated of any change.

[BHARATI DANGRE, J]