

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1115 OF 2022

Mr. Bhaskar Chand Rajaram Yadav ...Applicant

V/s.

The State of Maharashtra and Anr. ...Respondent

Mr. Mithilesh Mishra a/w Mr. Vikram Sutaria, for the Applicant.

Mr. A.P. Kapadnis, APP, for the State.

Mr. Bharat Mirchandani i/b Mr. H.S. Venegavkar, for Respondent No. 2.

CORAM : N.R. BORKAR, J.

DATE : 23.11.2022.

PC. :

1. This is an application under Section 439 of Code of Criminal Procedure for grant of bail.

2. The applicant came to be arrested in Crime No. 120 of 2021 registered at Silvassa Police Station, UT of Dadra and Nagar Haveli, for the offence punishable under Section 454, 457, 380, 411, 427 read with 34 of the Indian Penal Code (in short I.P.C.).

3. The applicant is accused No. 2 in the aforesaid crime. The applicant and accused No. 1 were working as security guards with Checkmate Security Agency. The said Checkmate Security Agency was given contract to provide security guards at Biopac India Corporation Ltd. According to the prosecution, electronic/electric articles worth Rs.

2,08,02,200/- were stolen from the said Biopace India Corporation Ltd. and while committing theft, damage was caused to articles worth Rs. 3 to 3.5 Crores. According to the prosecution, the said theft was committed by the present applicant and accused No. 1.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent/State and the learned standing counsel for the UT of Dadra and Nagra Haveli.

5. The learned counsel for the applicant submits that there is no evidence to connect the applicant with alleged crime. It is submitted that the applicant is in jail for more than one year. It is submitted that considering the facts and circumstances, the applicant may be released on bail.

6. On the other hand, the learned standing counsel for the UT of Dadra and Nagra Haveli, submits that there is enough material to connect the accused with alleged crime. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. The offences are triable by the Magistrate. The applicant is in jail for more than one year. There are no other criminal

antecedents. I am therefore, inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

- A) The Bail Application is allowed.
- B) The applicant be released on bail in C.R. No. 120 of 2021 registered at Silvassa Police Station, UT of Dadra and Nagra Haveli, for the offence punishable under Section 454, 457, 380, 411, 427 read with 34 of the I.P.C., on executing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]