

transaction with Sanjay Thakur. The accused came with tempo and gun man. The police were informed about the incident. Police came to the spot and the accused were apprehended. The applicant was arrested on 02.04.2022. Investigation is completed and the charge-sheet is filed.

3. Learned Advocate for the applicant submitted that, Section 395 of IPC cannot be invoked in this case. In the FIR it appears that there was transaction between the complainant and applicant. Nothing is to be recovered. The goods were not taken away. Further custody of the applicant is not necessary.

4. Learned APP submitted that, in the First Information Report it is stated that there was no transaction between complainant and the applicant. The gun man sent by the applicant was armed with weapon which was without license. If the police had not intervened, the persons sent by applicant could have taken away the goods by using force. In the past, four other cases were registered against the applicant vide C.R. No.207 of 2010 for offences under Section 439, 409 & 420 of IPC registered with Khadak Police Station, C.R. No.630 of 2011, registered with Yerwada Police Station for offence under Section 406 r/w Section 34 of IPC, C.R. No.248 of 2020 registered with Vimantal Police Station for offence under Section 188 of IPC and the fourth case is

pending in Sessions Court, Pune, where the offences was registered under Sections 399 and 371 of IPC.

5. The applicant is in custody from 02.04.2022. Charge-sheet is filed. The goods were not taken away. The applicant was not present at the spot at the time of incident. Further custody of the applicant is not required. Hence, I pass the following order :

ORDER

- i. Criminal Bail Application No. 2224 of 2022 is allowed;
- ii. The applicant is directed to be released on bail in connection with C.R. No.283 of 2022 registered with Yavat Police Station, Taluka Daund, Dist.Pune on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- iii. The applicant is permitted to furnish cash bail in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.
- iv. The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;
- v. Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)