

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3389 OF 2021

Ali Hussain Afzal Ansari

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. Momin Mohd. Farooque Nisar for the Applicant.

Mr. A.R. Kapadnis, APP for the Respondent – State.

API Ms Mukta Fadtare attached to Shantinagar Police Station, Bhiwandi present.

CORAM : N.R. BORKAR, J.
DATE : 13.10.2022.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.92 of 2021 registered at Shantinagar Police Station, Thane for the offences punishable under Sections 394, 395, 397 of the Indian Penal Code and Section 3 read with 25 of Indian Arms Act.
3. It is the case of the prosecution that on 14 February 2012 the present applicant along with other co-accused entered into the office of Siddharth Textiles and committed robbery. According to the prosecution, while committing the robbery the present applicant and other co-accused caused hurt to witness Jagdish Rajpurohit.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

5. Admittedly, the FIR was lodged against the unknown persons. During the investigation, the test identification parade was conducted and in the said test identification parade, the witnesses have not identified the present applicant. There are no criminal antecedents. The applicant is in jail for more than 1 and ½ years. Considering these facts, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a three months starting from November 2022 on first working Saturday between 11.00 a.m. to 4.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]