

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

BAIL APPLICATION NO.3183 OF 2022

Manendra Kumar Shri Bramhadeo Ray

Aged about 18 years, Occ:Student,

Indian Inhabitant of Dist.Bhadohi

Residing at village: Mosi (Musi)Brijrajpur

Post-Latpur, Police Station: Bhadohi,

Tahasil: Bhadohi, Dist.Bhadohi,

State of U.P

...Applicant.

Versus

1. The State of Maharashtra

2. Sr.PI of Manmad Railway Police Station

Taluka-Nadgaon, Dist.Nashik.

...Respondents.

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Mr MP Mishra, Advocate for the Applicant.

Mr V.B.Konde Deshmukh, APP for the State.

Mr.Dinesh Pawar, ASI, Manmad Railway Polie Station, Manmad
present.

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CORAM : R. N.LADDHA, J.

DATE : 23 DECEMBER 2022

P.C.:

Heard Mr M.P.Mishra, learned Counsel for the
Applicant, and Mr V.B.Konde Deshmukh, learned Additional

Public Prosecutor for the State.

2. By this application, the Applicant is seeking bail in connection with C.R.No.I-582 of 2022 registered at Manmad Police Station, Nashik, against the Applicant and other co-accused for the offences punishable under Section 395 of the Indian Penal Code, 1860.

3. Mr M.P.Mishra, learned Counsel appearing on behalf of the Applicant, submitted that the Applicant has been languishing in jail for more than 3 months. It is submitted that nothing was recovered at the behest of the Applicant. The Applicant was arrested on 16.9.2022. The investigation is complete, and the charge sheet has been filed. It is submitted that the Applicant has no criminal antecedents. The Applicant is a student. 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 Konde Deshmukh, learned Additional Public Prosecutor appearing for the State, submitted that the offence was committed in well-planned design by the Applicant. The offence is serious. It is submitted that the Applicant was actively involved in the crime that led to the registration of the FIR against him.

5. This Court has perused the Application along with the documents placed on record. The charge sheet has been filed. The Applicant is a student and cannot be said to be at flight risk.

There is nothing on record to show that the Applicant has criminal antecedents. The Applicant has been behind bars for more than 3 months. The trial will take its own time.

6. In the circumstances, this Court is inclined to grant bail to the Applicant. The apprehension expressed on behalf of the State that the Applicant may influence witnesses can be taken care of by imposing appropriate conditions.

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

ORDER

- a) The Applicant Manendra Kumar Shri Bramhadeo Ray shall be released on bail in C.R.No.I-582/2022 registered at Manmad Railway Police Station, Solapur, 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. All the parties to act on an authenticated copy of this Order.

[R. N. LADDHA, J.]