

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

933 BAIL APPLICATION NO.574 OF 2023

RAVINDRA BHANUDAS KADAM
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Deshmukh Himmatsinh D.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 11.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.426 of 2014, registered with Police Station Mukundwadi, District. Aurangabad, for the offence punishable under Section 394 read with Section 34 of the IPC.
3. Learned counsel for the applicant would submit that he has been falsely implicated in the crime. He was at his home and never absconded. However, he was shown absconded in the charge sheet filed in the year 2016 arising out of above crime number. He was arrested in another crime and thereafter, in the present crime. Nothing is to be recovered

from the applicant. The false allegations have been levelled against him that he was with co-accused. Hence, he may be granted bail.

4. The prosecution opposed the application on the sole ground that the applicant was absconding for a long period. Therefore, he may abscond again.

5. Perused the papers. Nothing is to be recovered from the applicant. Whether the applicant was absconded or not is a matter of investigation before the Trial Court. However, considering no recovery from him, it would be inappropriate to keep him behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **RAVINDRA BHANUDAS KADAM** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.426 of 2014, registered with Police Station Mukundwadi, District. Aurangabad, for the offence punishable under Section 394 read with

Section 34 of the IPC, on the following conditions :

- (a) The applicant shall report the concerned Police Station on every first and third Saturday between 6.00 p.m. to 8.00 p.m. till the conclusion of the trial.
- (b) He shall attend the trial on each and every effective date.
- (c) He shall intimate the concerned Police Station on telephone, if he leaves the place of his residence.

(S. G. MEHARE, J.)

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vmk/-