



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

BAIL APPLICATION NO. 94 OF 2023

RAJ S/O. VISHNUPRATAP BARMA @ VERMA .. APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Leena Borde, Mr. Vijay More i/b Ms. Poonam Patil, for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 12, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under sections 392, 395 read with 34 of the Indian Penal Code registered vide C.R. No.0248 of 2022 with Dehu Road Police Station, Dist. Pimpri-Chinchwad. The FIR is dated 24/04/2022.
- 3.** The applicant was arrested on 25/04/2022. The applicant is the accused no.2. There are in all 8 accused. It is the case of the prosecution that the incident happened on 24/04/2022 at 11.00 a.m. The informant wanted to withdraw cash from ATM. For some

reason, ATM did not work. The accused who were keeping a watch on the victim, snatched the ATM card from the informant and threw a similar looking ATM card. The accused persons withdrew a sum of Rs. 1 lakh from the said ATM. The accused persons then purchased a gold chain and a gold ring. The gold chain and gold ring are not recovered from the present applicant and the same are recovered from some other co-accused.

4. Learned APP submitted that the applicant has been identified in test identification parade and also seen in CCTV camera. Learned APP opposed the bail application.

5. The applicant was arrested on 25/04/2022 and is now in custody for more than 1 year and 4 months. There is no recovery from the applicant. There are no criminal antecedents reported against the applicant. The investigation is complete. Charge-sheet has been filed. The applicant can be enlarged on bail. Learned APP submitted that stringent conditions need to be imposed if the Court is inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Raj s/o Vishnupratap Barma @ Verma in connection with C.R. No. 0248 of 2022 registered with Dehu Road Police Station, Dist. Pimpri-Chinchwad shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the investigating officer of the concerned police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not leave the State of Maharashtra without permission of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)