



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

BAIL APPLICATION NO. 89 OF 2023

SUMIT CHINTAMAN SONAWANE

.. APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Viresh Purwant, for the Applicant.

Mr. N.B. Patil, APP for the State.

API-Suryawanshi, Manpada Police Station, Dombivali present.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 12, 2023

P.C. :

1. Heard learned counsel for the applicant. Learned APP for the State opposed the application.

2. This is an application for bail in respect of the offence punishable under sections 326, 302, 397, 201, 188, 120B of the Indian Penal Code, sections 4 and 5 of the Indian Arms Act and under sections 37(1), 135 of the Maharashtra Police Act registered vide C.R. No. 478 of 2021 with Manpada Police Station Dombivli, District-Thane. The FIR is dated 11/09/2021. The applicant is arrested on 15/09/2021. The applicant is the accused no.3.

3. The incident is dated 11/09/2021. It is the case that the victim

had lost his job and therefore he was called by the accused no.1 for employment purpose. The victim boarded a rickshaw which was driven by the present applicant- accused no.3. Accused no.2 was already in the rickshaw. On the way the accused no.1 and accused no. 4 also entered the rickshaw as passengers. Rickshaw was taken to a secluded spot when the mobile of the victim and his bag were snatched by the applicant and the co-accused. The prosecution case is that the accused no.1 and accused no.2 assaulted the victim by a deadly weapon and caused grievous injuries. When the victim become unconscious, he was thrown by the side of the road.

4. My attention is invited to the order dated 23/06/2023 passed by this Court enlarging the accused no.2-Sagar Chandramauli Ponnala on bail. The main allegations of assault are on accused nos. 1 and 2. The applicant was a rickshaw driver and accusation is that he had snatched the bag and mobile phone. Considering the nature of the accusations and that the accused no.2 who was accused of a role more than that of the applicant, has been enlarged on bail, even the applicant can be enlarged on bail. The applicant is in custody since 15/09/2021, for almost a period of 2 years. Learned counsel for the applicant submits that there are no criminal antecedents

reported against the applicant. The investigation is complete. Charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Sumit Chintaman Sonawane in connection with C.R. No. 478 of 2021 registered with Manpada Police Station, Dombivli, District-Thane shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more 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.

5. The application is disposed of.

(M. S. KARNIK, J.)