



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

BAIL APPLICATION NO.266 of 2023

RAEESUDDIN SULTANAHMED RAIEN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Kuldeep Patil i/b. Adv. Paras Yadav for the applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 29, 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 302, 396, 347, 452 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered vide C.R. No.385/2021 with Chikali Police Station, Pune. There are in all seven accused. The applicant is accused no.4.

3. The prosecution case is based on the circumstantial evidence. The accused nos. 1 and 2 are stated to be the main persons involved in the crime. It is alleged that the

accused nos.1 and 2 have been identified. It is alleged by first informant that the deceased was found in a bound condition in her residential house. She was lying on the floor. Her hands and legs were tied with nylon rope. It is alleged that the accused committed murder and stolen the gold ornaments.

4. There is no recovery from the present applicant. The allegation as against the applicant is that he purchased the nylon rope and texo tape which he handed over to the accused no.1-Mohammad Monish Ahamad Shaikh which was used in commission of the crime.

5. Learned APP submitted that the applicant had indicated the shop from where the said nylon rope and texo tape was purchased.

6. The applicant is in custody from 2/7/2022 almost for a period more than one year with no possibility of the trial concluding any time soon. Even the charge has not so far been framed. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant is from Uttar Pradesh. There is nothing on record to indicate that the

applicant is a flight risk. In the facts and circumstances of the present case, I am inclined to enlarge the present applicant on bail by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Raeesuddin Sultanahmed Raien in connection with C.R. No.385/2021 with Chikali Police Station, Pune, 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 Chikali police station, Pune, 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.

(g) The applicant shall attend the trial regularly.

7. The application is disposed of.

(M. S. KARNIK, J.)