



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

BAIL APPLICATION NO. 524 OF 2023

BHARAT DATTA GAIKWAD

..APPLICANT

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Mr. Dheeraj Panchange for the Applicant.

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

PSI Ladse, Mulund Police Station.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 13, 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 395, 397, 201, 341, 120-B of the Indian Penal Code, Sections 37(1)(a) and 135 of the Maharashtra Police Act and Sections 3 and 25 of the Arms Act registered on 02/02/2022 vide C.R. No.35 of 2022 with Mulund Police Station, Mumbai.

3. There are in all 9 accused. The applicant is accused No.9. It is the allegation that 4 unknown persons entered

the premises of the complainant and took away cash worth Rs.70 lakhs. In the supplementary statement, it is stated by the complainant that an amount of Rs.48 lakhs was taken away by these unknown persons. An amount of Rs.40 lakhs has been recovered. There is no recovery from the present applicant. From the material on record, it appears that the applicant was the one who provided information about the complainant's business. There is no other incriminating material against the applicant.

4. The investigation is complete and the charge-sheet is filed. There are no criminal antecedents reported against the present applicant. The applicant has been in custody since 12/02/2022 i.e. for the period of 1 year and 7 months without the possibility of trial concluding any time soon. Considering the facts and circumstances of the present case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Bharat Datta Gaikwad in connection

with C.R. No.- 35 of 2022 registered with Mulund Police Station 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 Mulund police station once in two months, every first Monday of the alternate month, between 11.00 a.m. and 1.00 p.m., commencing from October 2023.

(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.)