

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 585 OF 2023

Akash @ Dubya Sopan Panpatte ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. U. S. Gadsing for the Applicant.
Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 26 APRIL 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 643 of 2022 registered at Shikrapur Police Station, Pune for the offences punishable under Sections 395, 364-A, 386, 323, 504, 506 of the Indian Penal Code.

3. According to the prosecution, on the date of the alleged incident, which took place on 11 July 2022, the present applicant and other co-accused had abducted the complainant and robbed him of cash amount of Rs. 57,000/- and mobile phone worth Rs. 30,000/-.

4. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. The applicant is aged about 22 years and there are no other criminal antecedents.

5. On the other hand, the learned APP submits that the complainant has identified the present applicant in the test identification parade. It is submitted that one of the co-accused has stated that the present applicant was also involved in the alleged crime.

6. There is no recovery of the incriminating material at the instance of the present applicant. There appears to be delay in holding the test identification parade. There are no other criminal antecedents. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 643 of 2022 registered at Shikrapur Police Station, Pune for the offences punishable under Sections 395, 364-A, 386, 323, 504, 506 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)