



Diksha Rane

56. BA 804-23.doc

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

BAIL APPLICATION NO.804/2023

RITESH RAJENDRA SINGH

@ SONU @ NAKAKATYA

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Nishita Khairmode for the applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 4, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant.
- 2.** The application for bail is opposed by learned APP for the State.
- 3.** This is an application for bail in respect of the offence punishable under Sections 397, 394, 120-B read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 13/3/2022 vide C.R. No.1124/2022 with Kolsewadi Police Station, District Thane.
- 4.** The incident is dated 13/3/2022. It is the case of the prosecution that on 13/3/2022, at about 10.30 a.m., the

original informant along with his friend named Vinod Dubey were going to Kailash Nagar on his bullet motorcycle. Four unknown persons stopped them and assaulted the original informant on his shoulder, hand and leg by iron rod and the chopper. They snatched his gold chain weighing 45 grams, gold bracelet weighing 45 grams, gold chain weighing 50 grams whereafter those persons fled away from the spot.

5. It is further the prosecution case that the applicant is the mastermind on whose instructions the offence was committed. Learned APP submitted that there are as many as eleven incidents reported against the applicant with Kolsewadi Police Station under various sections of the IPC.

6. The applicant was arrested on 16/3/2022 and now is in custody for more than one year and three months with no possibility of the trial concluding any time soon. What is recovered is a sum of Rs.8,000/- from the present applicant. The accusations are that what was involved in the present offence are gold ornaments which were stolen. The investigation is complete. The charge-sheet has been filed. The applicant does not appear to be a flight risk. The applicant can be enlarged on bail. As there are criminal

antecedents reported against him, stringent conditions need to be imposed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Ritesh Rajendra Singh @ Sonu @ Nakakatyia in connection with C.R. No.1124/2022 registered with Kolsewadi Police Station, District Thane, shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Kolsewadi Police Station, District Thane, once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the trial concludes.
- (d) The applicant shall not enter the areas of Mumbai/Mumbai Suburban District, Thane District and Palghar District on being released on bail except for attending the dates fixed by the trial Court in respect of this offence and other pending offences and for reporting to the investigating officer, till the trial concludes.
- (e) 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.
- (f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer while residing outside Mumbai/Mumbai Suburban District, Thane District and Palghar District and shall keep him updated, in case there is any change.
- (g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender his passport, if any, to the investigating officer.

7. The application is disposed of.

(M. S. KARNIK, J.)