

VRJ

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

BAIL APPLICATION NO.1128 OF 2023

Kiran S/o Ramdas Gadade	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Anandmaya Dhorde i/by Mr.Nitin Gaware Patil for
the applicant.

Mr. Amit A. Palkar, APP for the respondent/State.

CORAM : AMIT BORKAR, J.

DATED : JULY 11, 2023

P.C.:

1. This is an application in connection with C.R. 824 of 2022 registered with Yawat Police Station, Daund, District Pune for offences punishable under sections 392, 395 and section 34 of the Indian Penal Code, 1860..

2. One Prajyot Ramesh Shinde lodged F.I.R. alleging that while he was proceeding to collect parcel of cash from courier service office Solapur for the purpose of carrying it to Mumbai. He boarded Indapur-Swargate bus at 05:45 a.m.. When the bus reached at Yavat Police Station, two unknown persons came near the informant and started quarrel by alleging that the informant was teasing to the girls. They assaulted informant and forcibly took away his parcel. He, therefore, lodged a report.

3. The applicant was arrested on 24th October 2020. Test identification period was conducted on 4th January 2023. Supplementary statement of witness Prashant Kate recorded on 25th October 2022, indicates that he had identified the applicant in the police station. Ultimately, complicity and involvement of the applicant in the alleged offences needs to be adjudicated by the Trial Court after granting opportunity to the prosecution to lead evidence. Moreover, Co-ordinate Bench of this Court in Criminal Bail Application No.1147 of 2023 has released the co-accused. There are no antecedents to discredit the applicant. Hence, following order:

- a) The bail application is allowed.
- b) Applicant Kiran Ramdas Gadade shall be released on bail in connection with C.R. 824 of 2022 registered with Yawat Police Station, Daund, District Pune for offences punishable under sections 392, 395 and section 34 of the Indian Penal Code, 1860, on furnishing PR Bond in the sum of Rs.25,000/- along with one or two sureties in the like amount;
- c) The applicant shall mark his presence before the police station concerned on first Saturday of each month between 11:00 a.m. to 02:00 p.m.;
- d) The applicant shall remain present before the Trial Court on each date unless exempted by the Court.
- e) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted

with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

f) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not change the residence till the final disposal of the case;

4. It is made clear that the observations made in the present order are only for the purpose of deciding the bail application under section 439 of the Criminal Procedure Code, 1973, and the trial Court shall not be influenced by the said observations while deciding the trial on merits.

(AMIT BORKAR, J.)