

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1147 OF 2023

Premraj Uttam Dhamdhare ...Applicant
V/s.
State of Maharashtra ...Respondent

Mr. Vikrant C. Shivdas for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 04.05.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 824 of 2022 registered at Yavat Police Station, Pune Rural, for the offences punishable under Sections 392 and 395 of the Indian Penal Code (IPC).
3. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
4. According to the prosecution, the complainant was working with Shivkrupa Courier Services. It is alleged that on the date of incident, which took place on 5 October 2022, the complainant was coming to Pune from Indapur by State transport bus and at that time, he was carrying courier parcel containing cash amount of Rs.24,32,570/-. It is alleged that when the bus was near Yavat, the present applicant and other co-accused came inside the bus

and took away the said courier parcel containing the cash amount.

5. Learned counsel for the applicant submits that the applicant is a student of Diploma in Engineering. It is submitted that the applicant has nothing to do with the alleged crime. It is submitted that there are no criminal antecedents.

6. 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 an amount of Rs.8430/- came to be recovered at the instance of present applicant. It is submitted that the applicant, therefore, may not be released on bail.

7. According to the complainant, he did raise hue and cry when the applicant and other co-accused were robbing him, however, nobody came to his rescue. *Prima facie*, this is hard to believe. Considering the overall facts and circumstances and as there are no other criminal antecedents, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 824 of 2022 registered at Yavat Police Station, Pune Rural, for the offences punishable under Sections 392 and 395 of the IPC, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees

Twenty Five Thousand) with one or two sureties in the like amount.

C] 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.]