



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

BAIL APPLICATION NO. 1739 OF 2023

SAYALI DEVENDRA KALE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Sujit Alhat, for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 28, 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 328 and 380 of the Indian Penal Code, 1860 registered on 11/12/2020 vide C.R. No.851 of 2020 with Dehu Road police station. The applicant was arrested on 04/02/2021.
- 3.** The application is opposed by learned APP. The incident is dated 10/12/2020. The applicant is a woman. The modus operandi of the applicant which was adopted even in the present case as against the complainant was that she spiked the drink of the complainant with some

substance as a result of which the complainant felt giddy. The complainant noticed that his two gold rings, one gold chain and a mobile handset were missing. Learned APP while opposing the application pointed out that there are as many as 3 antecedents reported against the applicant and there has been substantial recovery of stolen gold ornaments from the present applicant. The present offence is not punishable with life or death. Considering that the applicant is in custody for more than 2 years and 9 months with possibility of commencing and concluding the trial any time soon appearing remote, I am inclined to enlarge the applicant on bail by imposing stringent conditions. The applicant is enlarged on bail in the present offence. The investigation is complete. The charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.

- (b) The applicant-Sayali Devendra Kale in connection with C.R. No. 851 of 2020 registered with Dehu Road police station shall be released on bail on her furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the investigating officer of Dehu Road police station twice a month on every first and third Monday of the month between 11.00 a.m. and 1.00 p.m.

(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 her contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(g) The applicant shall not leave the jurisdiction of Pune district without leave of the trial Court.

(h) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

4. The application is disposed of.

(M. S. KARNIK, J.)