

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

BAIL APPLICATION NO. 3009 OF 2021

Munawar Ali Shaikh

..Applicant

VS.

The State of Maharashtra

..Respondent

Mr. Murtuza Najmi a/w Omar Khayam Shaikh and Priyanka Shukla for the Applicant.

Mr. S. V. Gavand, APP for the State.

Rakesh C. Shinde, PSI, Marine Drive Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 7, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and the learned APP.
- 2.** This is an application for bail by the applicant- Munawar Ali Shaikh, in connection with C.R. No. 108 of 2021 dated 27/04/2021, registered with Marine Drive Police Station, under sections 408 and 420 of the Indian Penal Code, 1860.
- 3.** The date of the incident is 22/03/2021. The owner of the jewellery shop, where the applicant was working as assistant, is the complainant. It is alleged that on

22/03/2021, the complainant got information that the applicant had stolen certain jewellery worth Rs. 5,00,000/-. In the supplementary statement recorded on 12/05/2021, it is alleged that precious stones which were part of the jewellery are also missing valued at Rs. 56,43,627/-. The applicant came to be arrested on 01/05/2021.

4. The applicant is now in custody for more than 1 year and 8 months. The investigation is complete and the charge-sheet is filed. There are no criminal antecedents reported against the applicant. Maximum punishment for the alleged offence is upto 7 years of imprisonment. No purpose will now be served by prolonging the custody of the applicant as this will only be by way of punishment. There is nothing to indicate that the applicant will avoid attending the trial or that he is likely to tamper with the prosecution witnesses. The trial is not likely to commence anytime soon. Hence, the following order.

: ORDER :

(a) Applicant- Munawar Ali Shaikh shall be released on bail in connection with C.R. No. 108 of 2021 dated 27/04/2021, registered with Marine Drive Police Station, on

furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) 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.

(c) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(d) The applicant shall report to the concerned police station once in a month i.e. on first Monday between 11.00 a.m. and 01.00 p.m. and thereafter as and when called for.

5. The Bail Application is disposed of.

(M. S. KARNIK, J.)