

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2182 OF 2022

Vijay Puran Singh @ Lefty ... Applicant

V/s.

State of Maharashtra ... Respondent

.....
Mr. Satyan Pille, Advocate for Applicant.
Mr. Y. Y. Dabke, APP for Respondent-State.
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CORAM : SHIVKUMAR DIGE, J.

DATE : 11th SEPTEMBER 2023

P C:-

1. By this Application Applicant is seeking bail in C.R.No. I-215 of 2021 registered with Hill Line Police Station, Ulhasnagar for the offence punishable under Section 397, 394, 506 read with 34 of Indian Penal Code, 1860 (for short "IPC") and Section 37(1) and 135 of Maharashtra Police Act.
2. The first informant Mohammed Salim Kamil Khan lodged report to the Police stating that, on 22.08.2021 one person had hired his taxi and on the way one other person boarded in his taxi. On the way the said two persons asked him to stop the taxi near the public toilet, there out of two persons one person threatened with

knife and asked him to transfer the amount in his account. Accordingly, he transferred Rs.800/- and the said person took out amount from his pant pocket and shirt pocket. The First informant further alleged that the other person took two mobiles from him which were kept on the dash board of the car. Both persons assaulted him with fist and blows and ran away.

3. It is the contention of learned Counsel for the Applicant that allegations against the Applicant are that he took two mobiles kept on dash board of car. He was traveling in the car of complainant along with accused No.1 and cash of Rs.1,040/- is recovered at the instance of Applicant. Applicant is behind the bar more than two years. Hence, requested to allow the Application.

4. Learned APP submitted that, Applicant beaten up the complainant with fist and blows. He threatened the complainant and took amount from him and mobile from his custody. The amount and mobile of complainant is recovered at the instance of the Applicant. Complainant has identified the Applicant in identification parade, it shows his involvement in the crime. Hence, requested to reject the Application.

5. I have heard both the learned Counsel.

6. Perused the FIR and charge-sheet.

7. In the complaint, complainant's allegations are against Rishi De, accused No.1 that he had hired car of complainant for traveling. Thereafter, Applicant boarded in the same car. The allegations against the Applicant are that, he beaten up the complainant, but the allegations of threatening with knife are against accused No.1. Applicant took two mobile phones which were kept on the dashboard of the complainant's car. Investigation is completed and charge-sheet has been filed. Applicant is behind the bar more than two years.

8. Considering the above facts, no further detention of the Applicant is required. In view of the above, I pass following Order.

ORDER

- (i) Applicant be enlarged on bail in C.R.No. I-215 of 2021 registered with Hill Line Police Station, Ulhasnagar on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (ii) Applicant shall attend the concerned Police Station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.

- (iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

9. The Application is allowed in the aforesaid terms and is accordingly disposed of.

10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

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by SONALI
SATISH KILAJE
Date: 2023.09.16
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