

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2587 OF 2022**

Vijay Chandraprakash Patel ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Beerta Bajwa for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 21 MARCH 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 60 of 2021 registered at Lonavala City Police Station, Pune Rural for the offences punishable under Section 395 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. According to the prosecution, on the date of incident which took place on 17 June 2021, the present applicant and other co-accused committed the dacoity at the house of the complainant.

5. Admittedly, the First Information Report was lodged against unknown persons. The first Informant stated that he would be able to identify the dacoits, if shown to him. However, it is not understood as to why after the arrest of the present applicant and other co-accused the test identification parade was not conducted. The applicant is in jail for more than one and half years. There are no other criminal antecedents.

6. The learned APP submits that the house of the present applicant was searched and incriminating articles were found in his house. However, considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 60 of 2021 registered at Lonavala City Police Station, Pune Rural for the offences punishable under Section 395 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two local sureties in the like amount.
- (iii) 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.
- (iv) The applicant shall provide his residential address and mobile number, if any to the concerned police station.

(N.R. BORKAR, J.)