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CRIMINAL BAIL APPLICATION NO. 3702 OF 2021

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DATED : 24 JANUARY 2023

5. The applicant came to be arrested in the present crime on the basis of disclosure statement of co-accused. The said disclosure statement appears to be of dated 28 July 2017. It appears that at that time the

applicant was in custody in another crime. However, it appears that the applicant was taken into custody in the present crime for the purpose of interrogation only on 19 January 2019, i.e., after more than one year. *Prima facie*, except the disclosure statement of co-accused there appears to be no other evidence to connect the applicant with the crime in question. The applicant is in jail for about four years and the trial has not yet commenced.

6. The learned APP submits that the applicant is involved in two more crimes of dacoity. However, considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Kamblya Adikya Chavan be released on bail in Crime No. 199 of 2017 registered at Yavat Police Station, Pune for the offence punishable under Section 396 of Indian Penal Code on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not enter into the limits of Pune District, except to attend the dates before the trial Court.
- (iv) The applicant shall furnish his residential address where he is going to reside after his release and mobile/phone number, if any, to the investigating officer.
- (v) The applicant shall attend the police station within whose jurisdiction he is going to reside after his release, once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)