



Diksha Rane

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

BAIL APPLICATION NO.2759/2023

ABHISHEKKUMAR RANJIT SINGH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Piyush Toshnival i/b. Adv. Ashish P. Pawar for the
applicant.

Mr. A. A. Palkar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 27, 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 395, 397, 400 read with 34 of the
Indian Penal Code (hereafter 'IPC' for short) read with
Sections 3, 25 of the Indian Arms Act registered on
11/3/2019 vide C.R. No.100/2019 with Karad Taluka Police
Station.

3. The date of the incident is 11/3/2019. There are in all
eight accused. The applicant is accused no.5. Some of the

accused have been enlarged on bail. The prosecution case is that four unknown persons barged into Shenoli Branch of Bank of Maharashtra and at gun point, threatened the complainant and the bank employees. All of them were forced to gather in a storeroom which was locked and the accused persons by threatening the employees with revolver, robbed cash from the cash counter as well as jewellery from the bank locker. The cash which came to be robbed was estimated at Rs.23,20,000/- and the gold jewelery was valued at Rs.8,51,675/-. The First Information Report was registered against the unknown persons.

4. So far as the present applicant is concerned, he has been identified in the identification parade as one of the accused persons. The applicant is also seen in C.C.T.V. footage. The cash amount of Rs.1,19,700/- was recovered from the applicant.

5. This Court enlarged the co-accused -Shravan Kumar (hereafter 'co-accused' for short) on bail by an order dated 4/9/2020. The co-accused, however, was not identified and not seen in the C.C.T.V. footage. The co-accused was traveling in the same bus as the present applicant. The

amount of Rs.5 lakhs was recovered from the co-accused. This Court observed that the recovery of cash amount from the applicant has not been established by the prosecution to be the part of the currency notes which were stolen from the bank. It is one of the circumstance that this Court has enlarged the co-accused on bail. In my opinion, the observations made by this Court in so far as the recovery of cash amount from the co-accused is concerned, the same will equally apply to the present applicant.

6. Learned APP while opposing the application submitted that the present applicant has been identified and he has seen in C.C.T.V. footage.

7. There are no criminal antecedents reported against the applicant. The accusations, no doubt, against the applicant are serious. However, the applicant was arrested on 15/3/2019 and now is in custody for more than four and half years with no possibility of the trial concluding any time soon. I am informed that even the charge has not been framed. The investigation is complete. The charge-sheet has been filed. In my opinion, the applicant does not appear to be a flight risk. The applicant is from Bihar. The applicant

can be enlarged on bail by imposing stringent conditions.

Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Abhishekkumar Ranjit Singh in connection with C.R. No.100/2019 with Karad Taluka Police Station, shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more local sureties in the like amount.

(c) The applicant shall report to the Investigating Officer of the Karad Taluka Police Station once in a fortnight on every 1st and 3rd Sunday of the month between 10 a.m. and 12.00 noon till the trial is over.

(d) 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.

(e) 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.

(f) The applicant shall not leave the Karad District without intimation to the trial Court or to the investigating officer till the trial concludes.

(g) The applicant shall attend the trial regularly.

(h) The applicant shall surrender his passport, if any, to the investigating officer.

8. The application is disposed of.

(M. S. KARNIK, J.)