



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

BAIL APPLICATION NO. 3078 OF 2023

BALVINDERSING RAJINDER SINGH

SUDAN @ ROCKY

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Anjali Patil for the Applicant.

Mr. P. H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 09, 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 394, 389, 395, 506(2), 504, 143, 147, 148, 149, 120-B of the Indian Penal Code registered on 04/08/2023 vide C.R. No.258 of 2023 with Antop Hill Police Station, Mumbai.

3. The date of the alleged incident is 03/08/2023. The applicant is accused No.4. The applicant was arrested on 10/09/2023. There are in all 6 accused. The accusations in

brief are that the accused were armed with deadly weapons and committed the robbery of a gold chain of the complainant. They also abused and threatened him. On going through the FIR, it is seen that on 04/08/2023, the informant was working as a Project Co-ordinator in Trans India Group and A. B. Developers and Builders. The main accused Naresh Thakur was opposing his project. Prior to 04/08/2023, said main accused threatened the informant on mobile phone and asked him to leave that project. Thereafter, on 03/08/2023, at 8.20 p.m. when he was proceeding on the road, the absconding accused Naresh Thakur with these accused obstructed him. At that time, accused Balraj threatened him and also assaulted him. All accused were also present there and they beat him by kicks and blows. The informant thereafter shouted. Other people gathered there and in that incident absconding accused snatched his gold chain of 5 tolas.

4. Learned APP opposed the application contending that the accusations were serious in nature.

5. Learned APP states that the investigation is complete

and the charge-sheet is likely to be filed shortly. So far as the applicant is concerned, the role assigned to him is assault with fists and blows. As all the co-accused having greater roles have been enlarged on bail, in the facts and circumstances of the case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Balvindersing Rajinder Singh Sudan @ Rocky in connection with C.R. No.258 of 2023 registered with Antop Hill Police Station shall be released on bail on his furnishing P.R. Bond of Rs.30,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 30,000/- for a period of 6 weeks in lieu of surety.
- (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 attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall not contact, threaten or induce the first informant.

6. The application is disposed of.

(M. S. KARNIK, J.)