

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3635 OF 2022

Jitendra Jaywant Gaikwad ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Pranav Pokale for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 16 MARCH 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 1036 of 2020 registered at Chakan Police Station, Pune for the offences punishable under Sections 395, 120-B, 412, 392 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 21 September 2020, the present applicant and other co-

accused had accosted the truck bearing registration No. MH-12-PQ-5301 and looted the goods therein worth Rs.27,09,469/-.

5. The complainant has not identified the present applicant in test identification parade. There is no recovery of incriminating material at the instance of the present applicant. The applicant is in jail for more than 2 years. There are no other criminal antecedents. 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 - Jitendra Jaywant Gaikwad be released on bail in Crime No. 1036 of 2020 registered at Chakan Police Station, Pune for the offences punishable under Sections 395, 120-B, 412, 392 r/w. 34 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 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 trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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