



Diksha Rane

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

BAIL APPLICATION NO.122/2024

SHUBHAM @ DILSHAR ASHOK PAWAR ..APPLICANT
VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Divesh Mehani a/w. Adv. Kunal N. Pednekar i/b. Adv.
Aniket Vagal for the applicant.

Mr. B. B. Kulkarni, APP for the State.

PC A. A. Mirkale, Indapur Police Station.

CORAM : M. S. KARNIK, J.

DATE : MARCH 1, 2024.

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, 452, 457, 380, 506 read with
34 of the Indian Penal Code, 1860 registered on 04/05/2023
vide C.R. No.494 of 2023 with Indapur police station.

3. There are in all 4 accused. The applicant is the
accused no.1. The applicant was arrested on 5/5/2023.

4. Learned APP opposed the application for bail. My
attention is invited to page 36 of the paper-book to show

that there was one koyta, screw driver, iron cutter and a mobile recovered at the instance of the present applicant. The gold jewellery was also recovered at the instance of the applicant. It is submitted that the applicant was identified in the test identification parade. Further, there are two criminal antecedents reported against the present applicant under Section 379 read with 34 of the Indian Penal Code registered with Daund Police Station vide C.R.No.86/2019 and under Section 7, 8 of the Protection of Children from Sexual Offences Act, 2012 registered with Karjat Police Station vide C.R.No.183/2016.

5. The applicant was arrested on 5/5/2023. He is incarcerated for almost 10 months. No one was injured in the incident. Since the investigation is complete and the charge-sheet has been filed and as the trial will take a long time to conclude, in the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail by imposing conditions. The criminal antecedents against the applicant by itself should not be a reason to deprive the applicant a facility of bail. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant Shubham @ Dilshar Ashok Pawar in connection with C.R. No.494 of 2023 registered with Indapur police station shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the investigating officer of Indapur police station once in a month on first Monday of every month between 11.00 a.m. and 1.00 p.m. till trial concludes.
- (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 applicants 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) It is made clear that if the applicant indulge in the similar type of offence in future, the same shall afford a ground to the prosecution to apply for cancellation of bail.

6. The application is disposed of.

(M. S. KARNIK, J.)