

Anand

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

BAIL APPLICATION NO. 3701 OF 2023

Mubin Nazeer Inamdar

.Applicant

Vs.

The State of Maharashtra & anr.

.Respondents

Mr. Aditya Parmar, Advocate, for the Applicant

Ms. Veera Shinde, APP, for Respondent No. 1 – State

Mr. Latif Mujawar, PSI, Lonavala Police Station, Pune present

CORAM : MADHAV J. JAMDAR, J.

DATE : 08.01.2024

P. C.

1. Heard Mr. Parmar, learned counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for Respondent No. 1 – State.

2. This is a regular Bail Application filed under Section 439 of the Code of Criminal Procedure, 1973 by the Applicant who is accused No. 3.

3. The relevant details are as under :-

1	C. R. NO.	487 of 2020
2	Date of Registration of F.I.R.	26.10.2020

3	Police Station	Lonavala City Police Station
4	Sections Applied	302, 120B r/w. 34 of the Indian Penal Code and under Sections 3(35), 4(25) & 27 of the Arms Act
5	Date of Incident	25.11.2020
6	Date of Arrest	26.11.2020
7	Date of filing of Charge sheet	21.01.2021

4. Investigation is complete. Charge-sheet is filed. There are about 40 witnesses to be examined by the prosecution. The trial has not yet commenced.

5. There are total nine accused. Five co-accused have been released on bail. Accused No. 1 has been released on bail by the Supreme Court by order dated 21.08.2023. Accused No. 4 has been granted bail by the Supreme Court by order dated 10.05.2023. A learned Single Judge has granted bail to accused Nos. 2 & 8 by order dated 11.08.2023. Accused No. 9 has been granted bail by order dated 02.03.2021 passed by the learned Additional Sessions Judge, Pune.

6. The role of the Applicant is procurement of the weapon and he was in contact with accused No. 1. Accused No. 1 is the main conspirator who has been granted bail by the

Supreme Court. There is no recovery at the instance of the Applicant.

7. The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The present Applicant does not have any criminal antecedents.

8. However, most of the witnesses are from Lonavala, the Applicant shall not enter Lonavala.

9. The Applicant does not appear to be a flight risk.

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

O R D E R

(i) The Applicant - Mr. Mubin Nazeer Inamdar in connection with C. R. No. 487 of 2020 registered with the Lonavala City Police Station, Pune shall be released on bail on his furnishing P. R. Bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount;

(ii) On being released on bail, the Applicant shall furnish his contact/cell phone number and residential address to the Investigating Officer and shall keep him updated, in case there is any change;

(iii) The Applicant shall report to the local Police Station where he is staying once every week, on every Sunday between 11.00 a. m. and 1.00 p. m. till the conclusion of trial. The Police

Inspector of said Police Station to communicate about the same to the Investigating Officer;

(iv) 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;

(v) The Applicant shall not tamper with evidence and shall not contact or influence the Complainant or any witnesses in the matter;

(vi) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments;

(vii) The Applicant shall surrender his passport, if any, to the Investigating Officer.

11. The Bail Application is disposed of.

(MADHAV J. JAMDAR, J.)