



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

**BAIL APPLICATION NO. 1568 OF 2024**

Abhishek @ Ankur Tarkeshwar Singh

...Applicant

vs.

The State of Maharashtra

...Respondents

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|--------------------------|------------------------------|
| Rahul Arote              | Advocate for the Applicant   |
| Mr. A. D. Kamkhedkar     | APP for the Respondent-State |
| PSI Dattatraya Nagargoje | Virar Police Station         |

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**CORAM : S. M. MODAK, J.**

**DATE : 01<sup>st</sup> JULY 2024**

**P. C. :-**

1. Heard learned Advocate for the Applicant-accused.
2. His bail was rejected by the Court of the Special Judge, MCOC, Thane as per Order dated 22/02/2024. The materials against the accused are referred in para no. 5. It consists of following:
  - a) CCTV footage at Banaras Hindu University.
  - b) CCTV footage collected from Kalyan Railway Station.
  - c) Statements of the witnesses depicting the presence of the Applicant at the scene of the offence.
3. Learned Advocate for the Applicant made the following

submissions:

- a) CCTV footage cannot take the case of the prosecution further to show the involvement unless accompanied by other materials.
- b) After perusal of the bulky charge-sheet, he could not notice any statement of the witnesses depicting the presence of the Applicant on the spot.

4. Learned APP seeks time to file an affidavit-in-reply. He can do so. He can deal with this contention and also point out the materials against the Applicant from the charge-sheet. Let affidavit be filed in the Office within three weeks. Copy be served on the other side.

5. Matter be kept on **29<sup>th</sup> July 2024**.

6. It is made clear that on that date the Court will not adjourn the matter in any eventuality and that is why sufficient time is granted for filing an affidavit. It is made clear erring party will be saddled with cost of atleast of Rs.10,000/-

**[S. M. MODAK, J.]**