

CRIMINAL APPELLATE JURISDICTION

Tabrej @ Billa Mohammad Shaikh ... Applicant.

The State of Maharashtra ... Respondent.

Ms Veera Shinde, APP for the State.

DATED : OCTOBER 15, 2024.

1. Heard.

 RR_{aut}

3. The present application is being opposed by the learned APP on strongly relying upon the statement of Kiran Prakash Dongre, who allegedly purchased two sickles from the applicant. This is the only evidence against the applicant in the present matter. The applicant was not named or no role is attributed to the applicant in the F.I.R. or there is no evidence to *prima facie* show his complicity in the present matter. However, as observed, the only allegation is that one Kiran Prakash Dongre has purchased two sickles from the applicant.
4. In the above referred backdrop, considering the fact that charge-sheet has been filed and further the period of incarceration of the applicant which is about 1½ years, I am of the opinion that the further custody of the applicant is not required.
5. Accordingly, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) It is directed that the applicant shall be released on bail in connection with Crime No.485 of 2023, registered with Pimpri Police Station, District: Pimpri Chinchwad for the offences punishable under Sections 307, 395, 397, 506, 427, 120B, 201 of the Indian Penal Code, 4(27), 7(25) of the Indian Arms Act, under Section 37(1)(c) read with Section 135 of the Maharashtra Police Act and under

Section 7 of the Criminal Law Amendment Act and Sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999, on furnishing P.R.Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;

- iii) The applicant shall attend the concerned Police Station on first and sixteenth day of every month between 10:00 a.m. and 11:00 a.m., till conclusion of the trial.
- iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence or breaches any condition for grant of bail.
- vi) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)