

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.3966 OF 2024

Mahesh Ramchandra Lokhande @ ... Applicant
 Bandya Ramchandra Lokhande

V/s.

The State Of Maharashtra and Anr. ... Respondents

Mr. Ujjwal Gandhi with Gunjan Thakkar, Prateek Dutta and B. Kapoor
 for the applicant.

Mr. Pankaj Deokar, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 18TH OCTOBER, 2024.

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.0233 of 2020, registered with Khalapur Police Station, Raigad for the offences punishable under Sections 395, 385, 170 and 120-B of the Indian Penal Code.
3. Having gone through the charge-sheet and the material collected by the IO during the investigation, it is evident that the applicant is in jail from last about 3 and ½ years and till date only one witness has been examined. The application is opposed by the learned

Digitally
 signed by
 VARSHA
 DEEPAK
 GAIKWAD
 Date:
 2024.10.19
 12:35:59
 +0530

APP on the ground that the alleged stolen 600 dollars were recovered from the applicant, alongwith the passport.

4. From the material available on record further it is evident that the informant is not the victim but he is a driver in which the victim travelled. The victims are the foreign nationals. They did not make any complaint.

5. Be that as it may, the applicant is in jail and all other accused persons are released on bail. Moreover, there is unlikelihood that the trial would be concluded in near future.

6. In the above referred backdrop, while opposing the application, the learned APP expressed an apprehension that if the applicant is released on bail he may commit the similar offence.

7. At this stage, the learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to abide by any condition, including the condition not to enter into Mumbai and territorial jurisdiction of Panvel, till the conclusion of the trial.

8. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant be released on bail in Crime No.0233 of 2020, registered with Khalapur Police Station, Raigad for the offences punishable under Sections 395, 385, 170 and 120-B of the Indian Penal Code,

on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into Mumbai and territorial jurisdiction of Panvel, till the conclusion of the trial;

iv) The applicant shall provide their address and name of the nearby police station to the IO, which they shall attend the said Police Station on 1st and 16th day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial;

v) 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;

vi) Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition or if the applicant commits similar offence;

vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

9. The application is disposed of.

(ANIL S. KILOR, J)