

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

**ANTICIPATORY BAIL APPLICATION NO. 3411 OF 2024**

|                          |     |            |
|--------------------------|-----|------------|
| Punit Binod Singh        | ... | Applicant  |
| Versus                   |     |            |
| The State of Maharashtra | ... | Respondent |

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Mr. Satyavrat P. Joshi a/w Yash G. Fadtare for the Applicant.  
Mr. Bapu V. Holambe-Patil, APP for Respondent-State.  
Mr. Manojkumar R. Pande, API, Pimpri Police Station.

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**CORAM: MANISH PITALE, J.**  
**DATE : 16<sup>th</sup> DECEMBER 2024**

**P.C. :**

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No. 0468 of 2024 dated 19<sup>th</sup> May 2024 registered at Pimpri Police Station, Dist. Pimpri-Chinchwad, for offences under Sections 7, 3, 37(3) and 37(1) of the Criminal Law (Amendment) Act, 2013, Sections 506, 504, 394 and 323 read with 34 of the Indian Penal Code, 1860 (IPC), Sections 4 and 25 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

3. It is brought to the notice of this Court that subsequently offence under Section 395 of the IPC has been registered along with the other offences.

4. The FIR in the present case was registered on the statement of the informant to the effect that unknown persons had damaged vehicles and looted an amount of Rs.890/- from the pocket of the informant/victim.

5. The learned counsel for the applicant submits that the FIR was registered against unknown persons and the only material against the applicant is statements of two co-accused persons in the form of Memoranda under Section 27 of the Evidence Act. It is submitted that other than the said material, there is nothing to indicate the presence of the applicant at the date and time of the incident.

6. On the other hand, the learned APP submits that the aforesaid Memoranda executed under Section 27 of the Evidence Act of the co-accused persons, clearly make out the role of the applicant and in such cases of dacoity, the aforesaid material can certainly be taken into account by the Court. It was further submitted that the applicant is the brother of the one of the co-accused persons and this is evident from the aforesaid statements.

7. This Court is of the opinion that since the FIR was registered against unknown persons, only two statements in the form of Memoranda executed under Section 27 of the Evidence Act of two co-accused persons named the applicant and apart from the aforesaid material, there does not appear to be anything on record to link the applicant with the incident in question, a case is

made out, particularly because the applicant has undertaken to cooperate with the investigation.

8. In view of the above, the application is allowed in the following terms :

(a) In the event the applicant is arrested in connection with FIR No. 0468 of 2024 dated 19<sup>th</sup> May 2024 registered at Pimpri Police Station, Dist. Pimpri-Chinchwad, he shall be released on bail on furnishing PR Bond of Rs.50,000/- and one or two sureties in the like amount.

(b) The applicant shall remain present before the Investigating Officer on 18<sup>th</sup> December 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation.

(c) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses or any other person concerned with the case.

9. Needless to say, violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present

application.

10. The application is disposed of.

**MANISH PITALE, J.**