

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4072 OF 2024
IN
CRIMINAL BAIL APPLICATION NO.3649 OF 2024

Shubham @ Sonya Vinod Kakde ... Applicant

V/s.

State Of Maharashtra ... Respondent

Mr. Amit Icham, for the applicant.

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

PSI, A.S. Chougule, Chakan Police Station, Pimpri-Chinchwad, Present.

CORAM : ANIL S. KILOR, J.

DATE : 10TH OCTOBER, 2024.

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PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking temporary bail in Crime No.755 of 2023, registered with Chakan Police Station, District : Pune for the offences punishable under Sections 395, 364-A, 387, 120(B) of the Indian Penal Code and Sections 3(1) (ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, (for short, 'MCOCA Act')
3. This is an application for temporary bail on the ground that the father of the applicant expired on 06.10.2024, he wants to perform

the last rites.

4. The learned APP, on instructions, from the concerned police station officer does not dispute the fact of death of the father of the applicant. However, he submits that the applicant is an accused in a crime wherein the provisions of MCOC have been invoked.

5. Considering the reason on which the temporary bail is sought, I am of the opinion that the applicant be released on temporary bail for 7 days from the date of his release.

6. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that both the applicants be released on temporary bail in Crime No.755 of 2023, registered with Chakan Police Station, District : Pune for the offences punishable under Sections 395, 364-A, 387, 120(B) of the Indian Penal Code and Sections 3(1) (ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, (for short, 'MCOC Act') on furnishing cash security of Rupees Twenty Five Thousand, for the period of one week.
- iii) The applicant shall attend the said Police Station twice a day i.e in the morning between 9.00a.m. to 10.00a.m and in the evening 5.00p.m. to 6.00p.m.
- iv) The applicants shall surrender before the Jail Authorities on 18th October 2024.

v) The learned APP undertakes to communicate this order to the concerned Police Station to enable them to release the applicants from the custody of the Jail Authority.

vi) The Jail Authority may take immediate steps to release the applicant.

The parties shall act upon the authenticated copy of this order.

7. Place this matter on 18th October 2024, for directions.

(ANIL S. KILOR, J)