



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 469 OF 2024

Narendra Ramesh Chavhan Vs State of Maharashtra.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.V. Sirpurkar, counsel for the applicant.

Mrs. H.N.Prabhu, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 05/07/2024.

1. The present application is preferred by the applicant for grant of bail, in connection with Crime No. 292/2021, registered with Police Station Shirpur, Tq. Malegaon, District Washim for the offence punishable under Section 395 of the Indian Penal Code, 1860. The applicant came to be arrested on 30/03/2024 in another crime and by obtaining the production warrant, he is arrested in the present crime.

2. Learned counsel for the applicant submitted that, as far as the role of the present applicant is concerned, it is similar to Vijendra Ramesh Chavhan who is already released on bail by this Court. He further submitted that the role assigned to the present applicant and taking general statement, that present applicant along with the co-accused Vijendra Ramesh Chavhan and one Gopal Pawar snatched the mobile phone of the informant and also, snatched the amount of Rs. 16 Lakhs. On the basis of the said report, the police have registered the crime.

3. He further submitted that there is no material to support the allegation that complainant was having the amount of Rs. 16 Lakhs on the date of incident. In view of that, now investigation is already completed, and therefore, further incarceration of the present applicant is not required.

4. On the other hand, the learned APP submitted that applicant was absconding, there are criminal antecedents against them. In view of that, the application deserves to be rejected. She further submitted that investigation against the present applicant is still pending and therefore, his further incarceration is required.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers. As far as theft or dacoity of Rs. 16 Lakhs is concerned, there is no material to show that the informant was having such amount on the day of incident. As far as the another allegation is concerned, which is general in nature against all the accused. The other co-accused is already released on bail by this Court. Considering the apprehension raised by the learned APP, some conditions can be imposed on the present applicant. In view of that, application deserves to be allowed. Accordingly, I proceed to pass the following order:

- a) The applicant -Narendra Ramesh Chavhan, shall be released on bail, in connection with Crime No. 292/2021, registered with Police Station Shirpur, Tq. Malegaon, District Washim for the offence punishable under Section 395 of

the Indian Penal Code, 1860, on executing PR. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- b) The applicant shall attend the concerned police station on 1st and 16th day of every month between 10 a.m to 01.00 p.m. till conclusion of the trial.
- c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the present case and also, not to tamper with the evidence.
- d) The applicant shall not leave the jurisdiction of the concerned police station without prior permission of the Court;
- e) On contravention of any of the condition would lead to cancellation of the bail.

The application stands **disposed of**.

[URMILA JOSHI-PHALKE, J.]