

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

**CRIMINAL BAIL APPLICATION NO. 3884 OF 2024**

|                          |               |
|--------------------------|---------------|
| Sumit Satish Mudliyar    | ...Applicant  |
| <u>VERSUS</u>            |               |
| The State of Maharashtra | ...Respondent |

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Mr. Ashraf Ali Akhtar Shaikh, Advocate for the Applicant.

Mr. Veera Shinde, A.P.P. for the Respondent – State.

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| CORAM | : | N. R. BORKAR, J. |
| DATE  | : | 23.01.2025.      |

**P.C.:**

1. This is an application for bail.
2. The applicant came to be arrested in Crime No. 1866 of 2022 registered at Chakan Police Station, Dist- Pimpri-Chinchwad for the offences punishable under Sections 395, 365, 341, 323 506 of the Indian Penal Code and Section 4(25) of the Indian Arms Act r/w. 37(1), 37(3) & 135 of Mah. Police Act r/w. Sections 3(1)(ii) & 3(4) of the Maharashtra Control of Organised Crime Act, 1999.
3. According to the prosecution, the applicant is a member of an organized crime syndicate. The allegations against the applicant and other co-accused are of dacoity. It is alleged on the date of incident, which took place on 07.12.2022, they forcibly took away the trailer carrying 32 tonnes of steel.
4. I have heard the learned counsel for the applicant and the

learned APP for the respondent/State.

5. Learned counsel for the applicant submits that the applicant has nothing to do with alleged crime. It is submitted that one of the co-accused was known to him and after the alleged dacoity, he contracted him to find out the purchaser for the stolen articles. It is submitted that the applicant is in jail for more than one year.

6. On the other hand, the learned APP for the respondent/State submits that the applicant is a member of an organized crime syndicate and he was part of the conspiracy to commit the dacoity. It is submitted that the applicant is involved in one more crime for the offence punishable under Section 302 of the Indian Penal Code. It is submitted that considering the overall circumstances, the applicant may not be released on bail.

7. I have perused the the charge-sheet. The allegations against the applicant are of conspiracy. There is a confessions statement of applicant, however, from the said confessional statement it is difficult to draw an inference of conspiracy. It is not the case of the prosecution that other crime was committed by the applicant as a member of organized crime syndicate. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail on certain conditions. In the result, the following order is passed:

### **ORDER**

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 1866 of 2022 registered at Chakan Police

Station, Dist- Pimpri-Chinchwad for the offences punishable under Sections 395, 365, 341, 323 506 of the Indian Penal Code and Section 4(25) of the Indian Arms Act r/w. 37(1), 37(3) & 135 of Mah. Police Act r/w. Sections 3(1)(ii) & 3(4) of the Maharashtra Control of Organised Crime Act, 1999, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two local sureties in the like amount.

C] The applicant shall not enter into the limits of Pune District except to attend the dates before the trial Court till conclusion of the trial.

D] The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after his release once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

E] The applicant shall submit his residential address where he is going to reside after his release and contract number to Chakan Police Station.

E] The bail granted by this order shall automatically stand cancelled, if the applicant commits any other crime.

F] Application stands disposed of accordingly.

**(N. R. BORKAR, J.)**