

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

BAIL APPLICATION NO. 4860 OF 2024

Vijay Shankar Gupta	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. R. S. Vidyarthi a/w Mr. Mohit Shah i/by Mr. M. P. Turakhia,
Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	16th APRIL, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.333 of 2024 registered at Yavat Police Station, District : Pune, for the offences punishable under Sections 395, 120-B of the Indian Penal Code, 1860 (for short 'IPC') and Sections 3 and 25 of the Arms Act, 1959.
3. The complainant and co-accused Dipmala Mate and the co-accused Suraj Thombre were acquainted with each other. They persuaded him to invest money in fake currency

note scheme. According to the prosecution on that pretext on the date of incident which took place on 30.03.2024, they called him at the place of incident and there the present applicant and other co-accused robbed him of Rs.11,00,000/-

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the applicant is in jail for more than one year and trial has not commenced. It is further submitted that there are no other criminal antecedents against the present applicant.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the complainant has identified the present applicant in test identification parade. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. Admittedly, there is no recovery of incriminating amount at the instance of the present applicant. The applicant

is in jail for more than one year and the trial has not commenced. Considering the overall facts and circumstances of the case and as there are no other criminal antecedents against the applicant, I am inclined to release him on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.333 of 2024 registered at Yavat Police Station, Yavat District : Pune, for the offences punishable under Sections 395, 120-B of the Indian Penal Code, 1860 (for short 'IPC') and Sections 3 and 25 of the Arms Act, 1959 on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) The applicant shall not commit any other crime;
- (v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)