

Shivgan

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3143 OF 2025

Amitkumar Pradeepkumar Bhatu

...Applicant

Versus

State of Maharashtra

...Respondents

Mr. Prabhanjay R. Dave, for the Applicant.

Ms. S. D.Shinde, APP for the Respondent-State.

CORAM: R. M. JOSHI, J.

DATED: 9th APRIL, 2026.

PC:-

1. The Applicant seeks bail in connection with Crime No. 212 of 2024 registered with Arnala Sagari Police Station, District: Palghar for the offences punishable under Sections 392 read with 34 of the Indian Penal Code, 1860 ('IPC').

2. As per the case of the Informant, an incident occurred on 22nd May 2024 when her mother-in-law went to the bank for withdrawal of the money. When she came out of the bank and was proceeding towards home, two persons came on motor-cycle and snatched the bag of the mother-in-law of the Informant. On the basis of said report, the offence came to be registered against an unknown person. During the course of the investigation, it was revealed that the present Applicant and the Co-accused are

perpetrators of the crime. After completion of investigation, charge-sheet is filed.

3. Learned counsel for the Applicant submits that there is absolutely no evidence on record to connect the Applicant with the crime in question. It is his submission that witnesses in the present case have not identified the present Applicant during test identification parade nor there is any statement recorded during the course of investigation indicating his presence even at the bank. He submits that the Applicant is in jail for last two years and hence, be enlarged on bail.

4. The learned APP opposes the Application, firstly, on the ground that the Applicant has a checkered criminal history and as many as 22 offences are registered against him in the state of Uttar Pradesh as well as in the state of Maharashtra. It is her submission that there is a CCTV footage indicating the presence of the Applicant near the Bank.

5. The criminal antecedents against the Applicant by itself would not become a ground for rejection of the Application. The prosecution must *prima-facie* show evidence indicating involvement of the Applicant in this crime. Perusal of the charge-sheet does not show any such evidence. Apart from the fact that the Applicant has not been identified during the test identification parade, there is not even a statement recorded of any witness indicating presence of the Applicant at the bank or near the bank. In absence of any such evidence, merely because the Applicant has a criminal history, bail cannot be rejected. The Applicant is in jail for a period of two years. The trial is not likely to commence and

conclude in a reasonable period of time. Hence, the following order:

ORDER

(i) The Bail Application stands allowed in connection with Crime No. 212 of 2024 registered with Arnala Sagari Police Station, District: Palghar;

(ii) The Applicant be released on bail on furnishing P. R. Bond of Rs.30,000/- with one or two local sureties in the like amount to the satisfaction of the Trial Court;

(iii) The Applicant to attend the concerned Police Station once in a month, on the first day of every month, for a period of six months;

(iv) The Applicant not to interfere into the evidence of the prosecution in any manner whatsoever;

(v) The Applicant to attend all the dates of hearing before the Trial Court except exempted by a specific order by the Trial Court;

6. The Bail Application stands disposed of.

(R. M. JOSHI, J.)

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