

ORDER BELOW EXH.1 IN CRI.M.A. NO. 01/2018

1. This is an application filed by the applicants to release them on bail who arrested in Cr. No. 210/17 registered with Shivaji Nagar police station, Latur for offence punishable u/sec. 454, 380 of I.P.C.

2. The informant Limbraj Shankarrao Patil filed complaint that on 21.6.2017, he along with his wife went at Udgir by putting lock to their house. When they returned, they noticed the gate of their house were open and door latch was broken. After entering into the house, they found that the gold as well as silver ornaments and some other articles were stolen. Therefore, he lodged complaint. Police during investigation, arrested to the accused and recovered some gold ornaments.

3. The applicants prayed for bail on the grounds that they are innocent. They have been falsely implicated in this case. They are ready to abide by the conditions. They had been to Latur for sending mother-in-law of applicant No.2. On the same day, police arrested them. There is nothing against the applicants. Hence, bail may be granted.

4. Heard learned Advocate for the applicants. He prayed for grant of bail of the accused and submitted that the accused are falsely implicated in this case and ready to abide by the conditions if released on the bail. Hence, they may be released.

5. The learned APP submitted that the accused are from Kolhapur district. If they released on bail, there is possibility that they will flee away. Hence, bail may be rejected.

6. I have gone through the application, say and submissions of both sides. Perused the police papers on record. It reveals that since 20.12.2017, the applicants are in jail. The major part of investigation has been completed. Considering the nature of offence and punishment provided for the same and period spent by the applicants in jail and the circumstances discussed above, I am of the view that it is not just and proper to keep the applicants behind the bar till decision of case. The apprehension raised by the prosecution that the applicants will flee away if released on bail can be safeguarded by imposing certain conditions and accepting heavy surety. Thus, I pass the following order.

O R D E R

1. The application is allowed.
2. The applicant No.1 Yasin s/o Moula Bagwan and (2) Kaish s/o Abbas Shaikh be released on bail in Cr. No.210/17 registered with Shivaji Nagar police station on their executing P.B. of Rs.25,000/- each and S.B, in like amount.
3. The applicants should not tamper the prosecution evidence and should attend the Court dates regularly.

4. The applicants should provided copy of Ration card and voters I.D, being proof of their permanent residential address.

5. Bail before the learned lower Court.

Dated : 09-01-2018.

(V. R. Kachare)
Additional Sessions Judge-3,
Latur.