

MHAU010066832023



Cri. Bail Appln. No.1660/2023
Kalim Vs. The State.

ORDER PASSED BELOW EXHIBIT-1

1. This is an application moved by the applicant under section 439 of the Code of Criminal Procedure, 1973 (Cr.P.C.) for enlarging him on bail in C.R.No. 91/2023, of the Devgaon Rangari Police Station, for the offence punishable under sections 454, 380 of Indian Penal Code, 1860 (IPC).

2. It is the case of the applicant that, he is peace loving and law abiding citizen, he is falsely implicated in the alleged crime. It is the case of the applicant that there is no iota of evidence against him to connect with the applicant. The investigation is almost completed, muddemal is seized and nothing is there to recover from the possession of the applicant. It is also contended by him that he is the only bread earner for his family and he is ready to abide terms and conditions imposed upon him.

3. This application is opposed by the investigating officer and the learned APP by filing say at Exh.No.4. The applicant is habitual offender and in case he is released on bail then he may repeat the offence and so, he may not be released on bail.

4. I perused the allegations made in the FIR. The allegations are in respect of theft of golden ornaments. The investigating officer

also made recovery of muddemal and now there is nothing to be recovered and discovered from the present applicant. It is true that there are 5 more cases registered against the present applicant, which are identical but in order to prevent the applicant from repetition of crime, stringent conditions can be put.

5. Considering the facts and circumstances and nature of the offence, I hold that it is just to release the applicant on bail on necessary conditions. Hence, I pass following order.

ORDER

1. The application is allowed.
2. The applicant Kalim Kamal Pinjari be released on bail on executing his P.B. of Rs.25,000/- (Rs. Twenty Five Thousand only) with one solvent surety in the aggregate amount in C.R.No.91/2023 of Deogaon Rangari Police Station, for the offence punishable under sections 454, 380 of Indian Penal Code 1860 (IPC).
3. The applicant shall remain present on every Monday, Wednesday and Saturday before the investigating officer at Deogaon Rangari Police Station and to co-operate the investigation.
4. The applicant should not threaten the prosecution witnesses and should not bring pressure on the witnesses.
5. In case the applicant found committing breach of conditions, then the State can pray for cancellation of bail.
6. Bail before remand court.

(Smt.S.J.Ramgadiya)

Date : 12.08.2023

Additional Sessions Judge,
(Court No.6) Aurangabad.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of the Stenographer	:	S.V. Kondekar, Stenographer (Grade-I)
Court	:	Smt. S.J. Ramgadiya, Dist.Judge -06 and Additional Sessions Judge, Aurangabad.
Date of Order	:	12.08.2023
Order signed by the Presiding officer	:	18.08.2023
Order uploaded on	:	18.08.2023