

Order below Exh.1 in Cri. Bail Application No.76/2022.

{ Atish Amar Sisodiya and others Vs. State }

This is application under section 439 of the Criminal Procedure Code for grant of bail pending trial.

2. The present application is moved by the applicants-accused 1) Atish amar Sisodiya, 2) Nikhil Ravi Sisdiya, 3)Karan Mahavir Singh praying to release them on bail in connection with the CR No.691/2021 registered with Igatpuri Police Station under section 379 r.w.s.34 of the Indian Penal Code. It is stated that the applicants-accused were arrested on 21.12.2021 and were remanded to police custody and since 24.12.2021 they are in MCR.

3. It is alleged in the application that investigation for all purposes is completed. Muddemal property is already recovered therefore, further detention is not required. They are ready to abide the conditions laid down by this court and hence, prayed to allow the bail application.

4. I.O. is present and opposed the bail application by submitting his say.

5. Heard, both the parties. Perused the record.

6. The learned counsel for applicants-accused Shri. J.N. Shinde submitted that, muddemal property is already recovered and no purpose will be served by keeping the applicants-accused in jail. The learned JMFC, Igatpuri has rejected the bail application of the accused and hence, he moved present bail application. He also produced on record copies of the bail order of applicants-accused in connection with similar type of offence registered against them in Mumbai.

7. The learned APP Shri. Suryavanshi submitted that in all golden ornaments worth Rs.21 lacs seized by Kashmira Police Station, Thane in connection with CR No.831/2021 for the offence U/s.379 r.w.s.34 of Indian Penal Code. Accused were transferred from the another crime to this crime. The present offence is registered on the basis of FIR lodged by Tarachand Baberwal. It is alleged that on 6.12.2021 in the marriage ceremony of his nice golden ornaments were stolen by unknown persons in the said hall. The record further shows that muddemal property is recovered. Accused are enlarged on bail in another crime registered against them in various police station. No purpose would be served by keeping them in jail, just accused are resident of out of state, necessary conditions can be laid down. Hence, following order is passed.

ORDER

1. Application is allowed.
2. Applicant-accused No. 1) Atish amar Sisodiya, 2) Nikhil Ravi Sisdiya, 3)Karan Mahavir Singh praying to release them on bail in connection with the CR No.691/2021 registered with Igatpuri Police Station under section 379 r.w.s.34 of the Indian Penal Code, on executing bond of Rs.30,000/- each with one or two surety in like amount.
3. They shall not abscond or tamper with the witnesses.
4. They shall furnish address proof aadhar card of their two near relatives alongwith mobile numbers.
5. They shall also furnish their address proof aadhar card with mobile numbers.
6. They shall attend the Igatpuri Police Station, Dist. Nashik

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on every Monday in between 11.00 a.m. to 2.00 p.m. till filing of charge-sheet.

7. They shall not leave the jurisdiction of Nashik District except to attend the date of another crime registered against them in another police station or in the court, till framing of charge.
8. In the event of breach of any of the conditions, their bail bonds shall be liable to be cancelled.
9. Bail in lower Court.

Date: 25.01.2022

(M. A. Shinde)
Additional Sessions Judge-8,
Nashik.