

BA 885/2021

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MHCC050033112021



**IN THE COURT OF SESSIONS, AT DINDOSHI
BORIVALI DIVISION), GOREGAON, MUMBAI
CRIMINAL BAIL APPLICATION NO.885 OF 2021
(C.R.NO.158/2020)
(CNR NO.MHCC05-003311-2021)**

Mr. Arshad Vasim Khan @ Shoeb Ansari

Aged 31 Years,
Residing at 702, Royel Court
Deshpanday Lane, Bazaar Road,
Bandra (West)

....Applicant/Accused

V/s.

The State of Maharashtra
Juhu Police Station.

....Respondent

Ld. Advocate Smt. Neha Singh for the Applicant/Accused
Ld. Addl.P.P. Smt. Usha Jadhav for the State.

**CORAM: H.H.THE ADDITIONAL SESSIONS JUDGE
SHRI D.D.KHOCHE
(C.R.NO.13)**

DATE : 6TH JULY, 2021.

ORDER

This is an application u/s. 439 of the Criminal Procedure Code 1973 filed by Arshad Vasim Khan @ Shoeb Ansari for grant of bail in Crime No.158/2020 for the offence punishable under section 379 of the Indian Penal Code, 1860 (hereinafter referred to as "I.P.C.") registered with Juhu Police Station.

2. Court perused the application and reply filed. Heard Ld. Advocate Smt. Neha Singh for the Applicant/Accused and Ld. Addl.P.P. Smt. Usha Jadhav for the State.

3. There is material against applicant/accused to have involved in this crime by committing theft of motorcycle bearing No.MH-02-EN-7572 and even changing its number plate. Not only this, but he was arrested in other crime of Kasturba Marg Police Station and in that crime, this motorcycle was seized. Thus, there are two offences registered against him. Though it is so, applicant/accused is in jail since about more than three weeks. Investigation with him appears to be over. Recovery is already seized.

4. Applicant/Accused is resident of Bandra West, Mumbai and can be available for the trial. There appears to be two crimes registered against him but not more than that. In such circumstances, when purpose of his investigation is over, it is just and proper to release him on bail. However, considering two crimes already registered, it is just and proper to release him on stringent terms and conditions. There is least possibility of his threatening to the informant as he is not acquainted with the informant nor informant is an eye witness. Hence, following order:

ORDER

1. Criminal Bail Application No.885/2021 is conditionally allowed.
2. Applicant/Accused Arshad Vasim Khan @ Shoeb Ansari be released in Crime No.158/2020 for the offence punishable under section 379 of the Indian Penal Code, 1860 registered with Juhu Police Station on his

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executing P.R. Bond of Rs.20,000/- (Rupees Twenty Thousand only) and on furnishing solvent one or more surety/sureties of like amount and on his accepting following terms and conditions-

- a) He shall provide his identity proof, address proof, mobile phone number with bail papers.
- b) He shall attend Juhu police station on every Thursday between 11.00 a.m to 4.00 p.m. and thereafter, if the Investigating Officer specifically calls for, till filing of the charge-sheet or till the end of August 2021, whichever is earlier and shall co-operate the Investigating Officer in the investigation.
- c) He shall maintain diary of attendance and take the endorsement of police station on it.
- d) He shall not tamper the prosecution witnesses in any way.
- e) He shall not commit similar offence during on bail period.
- f) He shall attend the trial regularly.
- g) Bail before the Ld. Metropolitan Magistrate.

(Dictated and pronounced in open Court)

Date: 6.7.2021

**(D.D.KHOCHE)
THE ADDL.SESIONS JUDGE
CITY CIVIL & SESSIONS COURT,
BORIVALI DIVISION, DINDOSHI**

Dictated on	: 6.7.2021
Transcribed on	: 7.7.2021
Checked & corrected on	: 7.7.2021
Signed on	: 7.7.2021
Sent to Dept. on	:

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**“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED ORDER”**

10.7.2021 AT 10.49 A.M.

MRS.M.S.PENDKHALKAR

Name of the Judge (With Court Room No.)	HHJ D.D.KHOCHÉ (Court Room No.13)
Date of Pronouncement of ORDER	06.7.2021
ORDER signed by P.O. on	07.7.2021
ORDER uploaded on	10.7.2021