IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

Criminal Application No.378 of 2015

Ansar s/o Ekkavan Kale. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. Nitin K. Chaudhari, Advocate, for applicant.

Shri. N.B. Patil, Additional Public Prosecutor, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 13th FEBRUARY 2015

ORDER:

1) The application is filed for bail. Both the sides are heard. This Court has perused papers of investigation.

2) Crime is registered on the basis of report given by Abasaheb Jedhe. He has contended that on the night when he and his family members were sleeping in the house after midnight hours some persons forcibly opened the door of the house. They entered in the house, they

used force, they assaulted all the members of the family and took away gold ornaments worth Rs.20,000/-. The complainant had seen these persons. Charge sheet was filed against the present applicant and he was shown as absconding. He came to be arrested on 20-11-2014 and till then he was absconding. In the test identification he was identified by the witnesses.

3) The submissions made by the learned Additional Public Prosecutor and the papers of investigation show that the applicant was involved in similar cases like Crime No.153/2008, 156/2008 registered in Ashti Police Station and Crime No.279/2008 registered in Georai Police Station. The applicant seems to be a habitual offender. This Court holds that the applicant will commit similar offences after coming out of jail. Crime is registered for offences punishable under sections 457, 380, 395 and also under section 397 of the Indian Penal Code against the applicant. There is possibility of absconding and commission of similar offences by the applicant. Learned counsel for the applicant submits that the Sessions Court has granted relief of bail to co-

accused. This circumstance is not of any help to the applicant. In view of these circumstances, the application is rejected.

Sd/-
(T.V. NALAWADE, J.)

rsl