

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**Criminal Application No.6403 of 2014**

Sampat Reddy s/o Ranga Reddy. .. **Applicant.**

**Versus**

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

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Shri. P.P. Khandagale-Patil, Advocate, for applicant.

Smt. M.A. Deshpande, Additional Public Prosecutor, for  
respondent.  
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**CORAM: T.V. NALAWADE, J.**

**DATE : 13<sup>th</sup> 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 in respect of one incident dated 21-6-2009. The complainant was coming towards Maharashtra from Karnataka side by his car on National Highway No.9. After entering the boundary of Maharashtra State one vehicle intercepted his vehicle and from that vehicle 3 to 4 persons alighted and by showing fire-arms they robbed the complainant and his family

members and gold ornaments worth around Rs.5.9 lakh were taken away. The complainant had noted description of the robbers and it was given to police. Crime came to be registered for offence punishable under section 394, Indian Penal Code. But charge sheet is filed for offence under section 395 of the IPC.

3) The learned counsel for the applicant submitted that he has been behind the bars for about four years. Previous application, Criminal Application No.381/2014, was withdrawn when this Court had expressed that this Court was not inclined to grant the relief. Direction was given to the trial Court to dispose of the matter within four months from the date of receipt of the said order.

4) The present application is filed on the ground that the case has not made any progress. In view of these circumstances, report from the Presiding Officer was called. The learned Presiding officer has blamed the police and the jail authorities for not producing the accused persons on the date fixed for hearing and so general directions were given by this Court.

5) In the present case there is material like recovery of gold ornament of 5 grams at the instance of the present applicant on the basis of statement made under section 27 of the Evidence Act. The learned counsel for the applicant submitted no TI parade was held for identification of the applicant. Learned Additional Public Prosecutor submitted that there are ten cases pending against the present applicant which are in Maharashtra, Karnataka and Andhra Pradesh. One case is registered under M.C.O.C. Act. In view of these circumstances and the fact that the applicant is accused in many cases from States of Maharashtra, Karnataka and Andhra Pradesh, bail cannot be granted to the applicant. There is possibility of absconding and there is also likelihood of commission of similar offences by the present applicant.

6) In the result, the application is rejected.

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

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