

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**BAIL APPLICATION NO. 164 OF 2015**

|                             |     |            |
|-----------------------------|-----|------------|
| Chandrashekhar Bhaurao Rane | ... | Applicant  |
| Vs.                         |     |            |
| The State of Maharashtra    | ... | Respondent |

Mr. K. Bhoyar i/b. Mr. H.B. Muneshwar, Advocate for the Applicant  
Mr. J.H. Ramugade, APP for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**  
DATE : **17<sup>th</sup> April , 2015**

**P.C.:**

This Application is moved for bail, as the applicant/accused is prosecuted for the offences punishable under sections 395, 342, 170, 171, 120B, 412 of the Indian Penal Code and under sections 3,25 of the Arms Act in C.R. No. 258 of 2013 registered with Upnagar Police Station, Nashik.

2. It is the case of the prosecution that the incident of dacoity has taken place in the office of Manapurram Finance Ltd, Bittko Point, Nashik Road on 1<sup>st</sup> October, 2013. One Uttamrao Panditrao Darade has given information to the police that on 1<sup>st</sup> October, 2013 at around 5.20 p.m., three persons in Khakhi uniform of Police arrived there equipped with revolver and they had brought two persons wearing black burkha and told that they want to conduct test identification parade and asked the security to shut down the shutter. Thereafter all those five persons asked the

complainant and other staff of Manapuram Finance Ltd. to keep quiet and then they tied the hands and stuck cello tape on the eyes and mouth of all of them. They then took the keys of strong room and took away the gold ornaments of nearly 15 kgs. and cash of Rs.3,44,000/-. The offence was registered against unknown persons and during the course of investigation, the police could arrest this accused on 7<sup>th</sup> January, 2014. Hence, this Bail Application.

3. The learned counsel for the applicant/accused has submitted that the applicant/accused is innocent. The offence was registered against unknown persons. The applicant was not involved. There is no test identification parade. There is no offence against this applicant/accused. He also submitted that mother of the applicant/accused is serious and nobody is there to take care of her. Therefore, the applicant be bailed out.

4. Learned APP opposed the Application. He submitted that the applicant/accused has committed the offence. There is recovery of gold ornaments at the instance of applicant/accused and police could recover 13 kg. gold from him. There are two criminal antecedents against the applicant/accused of the similar nature.

5. Perused the papers. There are two criminal antecedents against

applicant/ accused of the similar nature which were committed in the year 2013. The offences of robbery and dacoity were also committed in the year 2013 only. There is evidence of recovery of 13kg gold. Under such circumstances, it is not a case for grant of bail. Hence, the Application for bail is rejected.

**(MRS.MRIDULA BHATKAR, J.)**