

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL CRIMINAL BAIL APPLICATION NO. 346 OF 2015

Mahesh Lahanu Gavit

.....Applicant

V/s.

The State of Maharashtra

....Respondent

None for Applicant

Mr. S. H. Yadav APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 25th JUNE 2015

PC :

Advocate appointed for the applicant is not present. Learned APP has filed an affidavit. A specific averment is made in the affidavit that applicant herein is involved in several criminal cases and is being prosecuted for offences punishable under section 395 and 379 of Indian Penal Code. In the present case, applicant is being prosecuted under the provisions of MCOC Act. Applicant had stated in the letter that accused Jaywant Savara has been enlarged on bail by MCOC Court.

2) Learned APP submits that in fact the said accused is enlarged on bail since he was being prosecuted for offence punishable under section 395 of Indian Penal Code and similarly he was not identified by the witnesses whereas present applicant has been identified by Vijay Dongare. Learned APP

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submits that prima facie a strong case is made out against applicant and he is not entitled to be enlarged on bail as he is being prosecuted under the provisions of MCOC Act and the possibility that he would indulge into similar activities, cannot be ruled out at present. It is further submitted that in the present case, charge is framed on 15/04/2015.

3) In view of this, application deserves to be rejected.

ORDER

- (i) Application stands rejected.
- (ii) Office to communicate this order to the applicant in jail.

(SMT. SADHANA S. JADHAV, J.)