

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2480 OF 2014

Vijay Vasant Chavan. ... Applicant.  
Versus  
The State of Maharashtra. ... Respondent.

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Mr. Rahul K. Dhaygude, advocate for Applicant.

Mr. D.P. Adsule, APP for State.

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**CORAM : SMT.SADHANA S. JADHAV,J**  
**DATE : JANUARY 16, 2015**

**P.C.:**

1 Heard the learned Counsel for the applicant and learned APP  
for State. Perused the papers.

2 This is an application under Section 439 of the Code of Criminal  
Procedure, 1973. The applicant herein is arrested on 13/7/2014 in  
Crime No. 111 of 2014 registered at Khandala Police Station for  
offence punishable under Section 395 of the Indian Penal Code

3 It is the case of the prosecution that on 22/6/2014 one Sanjay Shah has lodged a report at the police station alleging therein that he had been alongwith his family to Veer Dharan. When they were returning, two unknown persons had apprehended them and had stolen the valuables from the person of his wife and the cell phone hand sets. They had also taken away keys of the car of the applicant. On the basis of his report, offence was registered against unknown persons. In the course of investigation, the present applicant was arrested on 13/7/2014.

4 Learned APP has filed an affidavit contending therein that the applicant has criminal antecedents. He is an accused in (1) Crime No. 72 of 2014 registered at Satara Taluka Police Station for offence punishable under Section 392 read with Section 34 of the Indian Penal Code and (2) Crime No. 140 of 2014 registered at M.I.D.C. Police Station, Ahmednagar for offence punishable under Section 392 read with Section 34 of the Indian Penal Code. It is also submitted that the investigating agency had conducted test identification parade on 21/7/2014 and that the complainant has identified the applicant.

5     The learned Counsel for the applicant submits that prior to registration of the present offence, the applicant had no criminal antecedents. However, he has been transferred in C.R. No. 73/2014 and 140/2014. It is submitted that although the applicant has been identified, the complainant has not assigned any specific role to the applicant for the purpose of identification.

6     Taking into consideration the papers of investigation and the antecedents of the applicant, this Court is not inclined to grant bail to the present applicant. The application being sans merits stands rejected. The application is disposed of accordingly.

**(SMT. SADHANA S. JADHAV,J)**