

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

CRIMINAL APPLICATION NO.778 OF 2016

Sheru s/o Saltanat Irani,
Age 20 years, Occu. Labour,
R/o Papa Nagar, Bhusawal,
Taluka Bhusawal,
District Jalgaon .. Applicant

Versus

The State of Maharashtra,
through Police Inspector,
Bodwad Police Station, Bodwad,
Taluka Bodwad, Dist. Jalgaon .. Respondent

- with -

CRIMINAL APPLICATION NO.355 OF 2016

Sadiqali s/o Ibadatali,
Age 19 years, Occu. Labour,
R/o Papa Nagar, Raza Tower,
Bhusawal, Taluka Bhusawal,
District Jalgaon .. Applicant

Versus

The State of Maharashtra,
through Police Inspector,
Bodwad Police Station, Bodwad,
Taluka Bodwad, Dist. Jalgaon .. Respondent

Mr N.E. Deshmukh, Advocate for applicants
Mr A.S. Shinde, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 22nd February 2016

PER COURT

Heard.

2. The applicants are seeking regular bail in Crime No.46 of 2015 registered at Bodwad Police Station, District Jalgaon, for the offences punishable under Sections 393, 465, 468 read with sec.34 of Indian Penal Code.

3. The prosecution story against the applicants is that the applicants have been caught red-handed from the spot, while committing crime under Section 393 of Indian Penal Code. The stolen motorcycle and muddemal in other crimes are already recovered from the applicants. One of the accused namely Sadatali is absconding.

4. Mr Deshmukh, learned Counsel for the applicants, while making out the case for grant of regular bail would urge that the applicants are falsely implicated in the crime. He would then urge that looking to the tender ages of the applicants, if they are further detained that may result into spoiling of their lives. He would further urge that this Court may impose any conditions so as to secure attendance of the applicants before the trial Court, as the applicants are ready to appear before the trial Court.

5. Learned A.P.P. opposed the application on the ground that there is strong prima facie case against the applicants.

6. With the assistance of learned A.P.P., I have perused the investigation papers. It is required to be noted that there are fourteen crimes registered against the accused Sadiqali, applicant in Criminal Application No.355 of 2016. So far as the applicant Sheru Irani in Criminal Application No.778 of 2016 is concerned, there are four crimes, punishable under Section 392 and other allied sections.

7. Upon perusal, it depicts that the applicants were caught red-handed in the crime in question and there are eye witnesses to the incident and recovery. The applicants appear to be habitual offenders in view of their involvement in the crimes referred to above. In my opinion, in view of prima facie evidence available against the applicants, it will be inappropriate to release the applicants on bail in present applications. As such, both the Criminal Applications stand rejected.

8. Looking to the age of the applicants, in my opinion, it will be appropriate to expedite the trial. As such, trial is expedited.

(N.W. SAMBRE, J.)

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