

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

CRIMINAL APPLICATION NO. 2811 OF 2016

Rustum @ Rustambhai Jamnadas Gamit,
Age: 35 years, Occ: Labour,
R/o. Pimpalkuva Bandharifalia,
Tq. Songad and Dist. Tapi.

...Applicant

versus

1. The State of Maharashtra,
2. The Police Inspector,
Nawapur Police Station,
Navapur, Tq. Navapur,
Dist. Nandurbar.

...Respondents

.....
Mr. C.R. Deshpande, Advocate for applicant
Mr. S.J. Salgare, A.P.P. for respondent/State
.....

CORAM : N.W. SAMBRE, J.

DATE : 8th JUNE, 2016

ORAL ORDER :

The applicant is seeking pre-arrest bail in Crime No. 115 of 2015 registered with Navapur Police Station, District Nandurbar, for an offence punishable under Sections 326, 143, 147 of the Indian Penal Code and under Section 25 (B) (A) (1) (AA) of the Indian Arms Act

2. Perused the first information report.

3. The specific role of use of revolver in the commission of crime in question and use of beer bottle is attributed to the applicant herein.

4. Apart from above, it appears that the applicant has not co-operated with the investigation and the charge sheet is filed, as he was absconding.

5. Apart from above, the investigation papers depicts that the applicant has criminal history.

6. Having regard to the investigation carried out, in my opinion, *prima facie* involvement of the applicant in the crime cannot be ruled out. As such, no case for grant of pre-arrest bail is made out. Criminal Application fails, stands rejected.

[N.W. SAMBRE, J.]