

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1995 OF 2015

Ashraf Mohammed Khan ..Applicant

v/s.

The State of Maharashtra. ..Respondents

Mr. Niranjan Mundargi for the Applicant

Mr. D.P.Adsule , APP for the Respondent-State.

Mr. Nitin Atkane, PSI from Kondhwa Police Station, Pune City is present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : FEBRUARY 08, 2016.

P.C.

1. This is an application for bail filed by the applicant who is facing trial in Sessions Case No. 179 of 2010 arising out of Crime No.247 of 2009 registered with Kondhwa Police Station for offences punishable under Section 376(2)(G) and 506(2) of the Indian Penal Code.

2. Heard Mr. Mundargi, the learned counsel for the applicant and the learned APP for the State. Perused the records. The applicant herein was arrested in Crime No.247 of 2009 for the offence under

Section 376(2)(G) r/w. 506(ii) of I.P.C. The applicant was released on bail. Subsequently, chargesheet was filed. The learned APP submits that the applicant had failed to appear before the trial court for almost a period of one year. Hence warrant was issued and the applicant was taken into custody. The records further reveal that during the period of one year, when the applicant had jumped bail, he had committed three other offences i.e. C.R.No.103/2013 for the offences under Section 376, 323, 506(1) of IPC registered at Kondhwa Police Station, C.R.No.145/2011 for the offences under Section 354, 384, 452, 420, 504 IPC of Bundgarden Police Station and Crime No. 85 of 2014 for offences under Section 392, 397, r/w. 34 IPC registered with Malvani Police Station.

3. The records reveal that the applicant has not only violated the conditions of bail, but has also indulged in committing serious offences while he was granted bail. Under the circumstances, this is not a fit case to grant any discretionary relief in favour of the applicant. Hence, the application is dismissed.

(ANUJA PRABHUDESSAI, J.)