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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1837 OF 2015

Shakeel Ghulam Ahmed Shaikh	..Applicant.
Vs.	
The State of Maharashtra	..Respondent

WITH
ANTICIPATORY BAIL APPLICATION NO.1877 OF 2015

Shyam Avdeshkumar Singh	..Applicant.
Vs.	
The State of Maharashtra	..Respondent

Ms. Arti Bhoir i/b N.R. Mishra for Applicants.
Ms. M.H. Mhatre, APP for Respondent-State.

CORAM: A.S. GADKARI, J.

DATE : 10th February 2016.

P.C.

1 The applicants are apprehending arrest in CR No.115 of 2015 registered with Sewree Police Station, Mumbai under Sections 379, 109 read with Section 34 of the Indian Penal Code and Sections 3, 7, 8, 9 of the Essential Commodities Act.

2 It is the prosecution case that on 28.10.2015 when the Police personnel were on patrolling duty, had suspicion against a Maruti Esteem

Car moving at a great speed. The Police chased the said car and stopped it. The police thereafter accosted the driver and other persons from the said car and took search. The police found 20 plastic drums having approximately 100 liters of petroleum product in each of the drum. That the said two persons who were apprehended on the spot are Irfan Khna and Shabaj Shabbir Waghu. During the course of their interrogation, the names of the present applicants have been surfaced. It is the further prosecution case that the present applicants used to tamper with the tankers which were parked near Hindustan Petroleum Pump at Wadala and after effecting pilferage used to collect the petroleum products in the plastic containers and handed it over to the main accused persons namely Irfan Khan and Shabaj Shabbir Waghu.

3 The record further discloses that the applicant-Shakeel Shaikh is involved in two crimes bearing Nos.160 of 2014 and 39 of 2013 registered with Wadala Police Station. That when the said applicant-Shakeel Shaikh was on bail in the aforesaid two crimes, it is alleged that the he has committed the present crime.

The applicant-Shyam Avdeshkumar Singh is earlier involved in three crimes bearing Nos.160 of 2014, 120 of 2015 and 157 of 2015 of similar nature and when he was on bail in the said crimes, he alleged to

have committed the present crime.

4 After taking into consideration the serious allegations against the applicant and the fact that when the applicants were released on bail in earlier crimes, they alleged to have indulged in the present crime, I am of the considered opinion, that the applicants are not entitled for pre-arrest bail.

5 In view of the above, both the applications are dismissed.

(A.S. GADKARI,J.)