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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 117 OF 2017

Shalendra Lalchandra Kakani	..Applicant
Vs.	
State of Maharashtra	..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 118 OF 2017**

Kamalkumar Sahani	..Applicant
Vs.	
State of Maharashtra	..Respondent

**WITH
APPP NO. 285 OF 2017**

Ajitkumar Gordhanlal Hariasra	Applicant-Intervener
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Mr. Chetan Akerkar for applicants in both ABAs.
 Mr. Santosh Kyadiguppi for applicant in APPP No.285 of 2017.
 Mr. Arfan Sait, APP for State.
 Mr. Amol Kadam, API, Nehrunagar Police Station present.

CORAM: A.S. GADKARI, J.

DATE : 18th April 2017.

P.C.

1] Heard the learned Counsel for the applicant and the learned
 APP. I have perused the record pertaining to the investigation.

The applicants are granted interim relief by an Order dated 31st January 2017.

2] It is the specific allegation against the applicants that on 29.11.2016 at about 2.00 p.m, the applicants entered into the premises of the complainant; assaulted him; tied him with the door of lavatory with rope; committed robbery of valuable articles from the cupboard and thereafter switched on Television Set and kept it on high volume/loud mode and fled away from the scene of offence. That at about 7.45 p.m., the owner of the said premises along with police broke open the door and entered into the premises; rescued the first informant and took him to Rajawadi hospital for medical treatment and thereafter the first information report is lodged.

3] The version of the first informant is duly corroborated by the statements of police personnel who entered in to the premises at about 7.45 p.m. and rescued the first informant who was tied by ropes to the door of lavatory. It is alleged against the applicants that they have committed decoity in the residential premises of the first informant. The investigation carried out till date clearly shows the involvement of the applicants in the present crime. The recovery of articles is yet to be effected and the same is not possible without the custodial interrogation of the applicants.

4] After taking into consideration the fact that the applicants committed dacoity in the premises of the first informant by tying him to the door of the lavatory, serious allegations against the applicants and the gravity of the offence, this Court is of the view that the applicants does not deserve to be protected by way of pre-arrest bail.

In view thereof, both the applications are rejected.

5] In view of dismissal of A.B.A. Nos.117 and 118 of 2017, the Criminal Application No.285 of 2017 does not survive and the same is also disposed off.

(A.S. GADKARI,J.)