

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2369 OF 2016
WITH
CRIMINAL BAIL APPLICATION NO. 94 OF 2017
(THROUGH JAIL)**

Rajesh Bhausaheb Patil	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL APPLICATION NO. 57 OF 2017
(FOR INTERVENTION)
IN
CRIMINAL BAIL APPLICATION NO. 2369 OF 2016**

Shishir Hirey	...Intervener
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IN THE MATTER BETWEEN :

Rajesh Bhausaheb Patil	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Aniket Vagal for the Applicant

Ms. S. S. Kaushik, A.P.P for the Respondent-State

Mr. R. R. Dube-Patil for the Intervener in APPP/57/2017

API Mr. Dinkar Pujari Darade from Chavni Police Station, Malegaon, Nashik (Rural) is present

**CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 12th APRIL, 2017**

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 147 of 2016 registered with the Chavani Police Station, Nashik, for the alleged offences punishable under Sections 379 of the Indian Penal Code.
3. Learned Counsel for the applicant states that apart from recovery of Rs. 23,000/- which was allegedly received towards the stolen Innova car, which was sold by the applicant, there is no material to connect the applicant with the alleged offence. He submits that merely because there are antecedents, will not be a ground to reject the applicant's application for bail.
4. Learned A.P.P has filed an affidavit setting out the complicity of the applicant. She submits that similar cases have been registered against the applicant with different police stations.

5. Perused the papers. The applicant is alleged to have committed theft of an Innova car bearing registration No. MH-41-V-4302. It is alleged by the prosecution that the applicant had taken the said car to Punjab and sold it to some person, however, the car has not been recovered by the police. It is informed that stolen Innova vehicles were sent to Nepal, however, no investigation has been done in that regard by the police. There is recovery of Rs. 23,000/- at the instance of the applicant which was received by him towards the sale of Innova vehicle.

6. The learned A.P.P has filed an affidavit of API Dinkar Punjaji Darade, Chavani Police Station. In the said affidavit, it is stated that the applicant was initially known as Raghu Jagannath Ingole and that later, he changed his name to Rajesh Bhausahab Patil. The police have relied on the statement of the applicant's ex-wife Sau. Sandhya Rajesh Patil.

7. Be that as it may, the applicant in his own name i.e. Rajesh Bhausahab Patil has several antecedents. There are two FIRs under Section 379 of the IPC registered against him in Thane and three in Navi Mumbai.

It is pointed out that in the name of Raghu Jagannath Ingole (allegedly applicant's earlier name), there are two cases registered in Buldhana District and there are nine similar offences registered with the Yavatmal City Police Station.

8. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail. The application is rejected. However, the trial of the applicant is expedited.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. In view of the above order, nothing survives for consideration in the other bail application, which is filed through jail being Bail Application No. 94 of 2017 and the application for intervention being Application No. 57 of 2017. The same stand disposed of accordingly.

REVATI MOHITE DERE, J.