

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 241 OF 2017

Kiran Dinesh Nagare

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr.Aniket U.Nikam for the Applicant.

Mr.S.S.Pednekar, APP for the State-Respondent.

.....

CORAM: MRS.MRIDULA BHATKAR,J.

DATE : 7th March 2017

P.C.:

1. This application is moved by the applicant-accused for pre-arrest bail in C.R. No. 296 of 2016 registered with Panchavati Police Station, Nashik for the offences punishable under sections 302, 307, 323, 143, 144, 147, 148, 149, 120-B, 109 and 212 read with 34 of the Indian Penal Code and section 135 of the Bombay Police Act and section 7 of the Criminal Law Amendment Act.

2. At the outset, the learned prosecutor produces a photocopy of the proclamation under section 82 of the Cr.P.C., which is issued against the applicant-accused by the learned Sessions Judge, Nashik and which is a part and parcel of the charge-sheet.

3. Perused. It is a proclamation against the applicant-accused under section 82 of the Cr.P.C. In view of the ratio laid down in ***Lavesh Vs. State (NCT OF DELHI) (2012) 8 SCC 730***, a person who is declared a proclaimed offender is not entitled to relief of Anticipatory Bail. Hence, Anticipatory Bail Application is rejected.

4. Anticipatory Bail Application is rejected accordingly.

(MRIDULA BHATKAR, J.)