

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 490 OF 2017
Omnanarayan S. Mishra vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A Tripathi i/by Legal Point for the Applicant.

Mrs. J.S.Lohokare, APP for the State.

Mr. Prakash Kale, PSI from Kandivali Police Station present.

CORAM :A.S.GADKARI, J.

DATE : 20th April, 2017

P.C.

The applicant was granted interim relief by an order dated 3.4.2017. The reasons for grant of interim relief are mentioned therein. Today the learned APP submitted that the applicant is also involved in three other similar type of crimes. It is submitted that the last crime which was registered against the applicant is bearing CR 62/206 dated 28.1.2016 with the Kashimira Police Station, wherein the applicant pretended to be an Officer of the BMC to the informant and promised him to give compensation for the hut which was gutted in fire. The record reveals that the applicant was on bail in the said crime and while on bail he has committed the present crime. This itself makes the applicant dis-entitled for the discretionary relief of pre- arrest bail. It appears from the record that the applicant is a habitual offender. In view of

the fact that the applicant is already involved in three other crimes, this Court is of the view that the applicant cannot be protected by way of pre arrest bail by exercising discretionary relief.

Application is accordingly dismissed.

(A.S.GADKARI, J.)