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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.805 OF 2017

Vijay Mohan Bhise	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.R.G.Patil, for the Applicant.

Mr.Y.M.Nakhwa, A.P.P. for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 4th MAY, 2017

P.C. :

1. Heard learned counsel for the Applicant and the learned APP for the Respondent - State.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.615 of 2016 registered with the Nigadi Police Station, Pune for the alleged offences punishable under Section 395 of the Indian Penal Code, under Section 4(25) of the Arms Act and under Section 37(1) r/w 135 of Bombay Police Act.

3. Perused the papers. The incident in question has taken place on 4th September, 2016 at about 9.00 p.m. According to the complainant, 7 to 8 persons entered his Tadi shop. He has alleged that the accused were giving abuses and were hitting the tin sheets. He has further alleged that the customers started running out of the shop and that as he was frightened, he did not enter the shop. According to the complainant, 7 to 8 persons had come to the said spot; that 2 to 3 persons were armed with weapons and that the said persons threatened the cashier and removed a sum of Rs.14,000/- from the box. The complainant has given description of the said persons. He has stated that after the incident, the accused left the shop on their motorcycles. It appears that the applicant was arrested on 5th September, 2016 and that the identification parade was held on 20th October, 2016. In the said identification parade, the applicant has been identified. There is recovery of Rs.21,000/- and a motorcycle at the instance of the applicant.

4. Considering the material on record, *prima facie*, this is not a fit case to enlarge the applicant on bail.

5. Hence, the Application for bail is rejected and disposed of as such.

6. It is made clear that the observations made herein are prima facie for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)