

Anand

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

BAIL APPLICATION NO.912 OF 2017

Amol Devram Sonavane & anr.

.Applicants

Vs.

The State of Maharashtra

.Respondent

Mr.Satyavrat Joshi, Advocate, for the Applicants

Mrs.Rutuja Ambekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.06.2017

P.C.

. Heard learned counsel for the Applicants and the learned APP for the Respondent – State.

2. By this Application, the Applicants seek their enlargement on bail in connection with C.R.No.96 of 2016 registered with the Lonavala Police Station (Rural), District – Pune, for the alleged offences punishable under Sections 399 & 402 of the Indian Penal Code.

3. Learned counsel for the Applicants submits that similarly placed co-accused have been enlarged on bail by the Sessions Court. He further submits that the Applicants'

Application for bail has been rejected by the learned Sessions Judge, essentially on the ground that the Applicant No.1 has four antecedents and the Applicant No.2 has three antecedents.

4. Learned APP opposes the Application.

5. Perused the papers. The incident in question has taken place on 15.09.2016 at about 8.30 p.m. on the old Mumbai-Pune highway road, Taree petrol pump, Karla, Maval, District - Pune. The police have apprehended the Applicants alongwith other co-accused at the spot, where they had assembled for committing dacoity. The said Applicants alongwith others were found in possession of two handmade guns, six live cartridges, eight iron rods and 9 chili powder packets.

6. The material on record, prima facie, shows that the complicity of the Applicants in the said offences. The Applicants were apprehended red handed on the spot, by the police and were found in possession of two handmade guns, six live cartridges, eight iron rods, 9 chili powder packets etc. Apart from the prima facie material against the Applicants, the Applicant No.1 has four antecedents i. e. an offence punishable

under Section 324 committed in the year 2011; an offence punishable under Section 307 committed in the year 2012; an offence punishable under Section 363 committed in the year 2014; and an offence punishable under Section 147 committed in the year 2014. As far as the Applicant No.2 is concerned, there are three cases registered against him i. e. offences punishable under Sections 302, 201 of the Indian Penal Code and under Section 3(25) of the Arms Act in the year 2012; offences punishable under Sections 384, 387, 507 of the Indian Penal Code and under Section 3(25) of the Arms Act, committed in the year 2015.

7. Considering the aforesaid, this is not a fit case to enlarge the Applicants on bail. Hence, the Application stands rejected.

(REVATI MOHITE DERE, J.)