

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1017 OF 2017

Javed @ Baba Abdul Bagewadi

..... Applicant

VERSUS

The State of Maharashtra

..... Respondent

Mr. Priyal G. Sarda for the Applicant.

Mr.S.R.Agarkar, A.P.P. for the State.

Mr.Sitaram B. Puneekar, Police Havildar, Talegaon Dabhade Police Station present.

CORAM : T.V.NALAWADE, J.

DATE : 7th AUGUST, 2017

P.C.

The application is filed for bail. Both the sides are heard. The papers of investigation were made available for perusal of this court.

2. The crime at C.R.No.306 of 2016 was registered in Talegaon Dabhade Police Station, District Pune on the basis of the report given by police officer. There was secret information to police that some persons were likely to commit offence of dacoity at I.B.P. Petrol Pump. Even the number of vehicles in which those persons were coming towards petrol pump was informed to the police. The Local Crime Branch, Pune prepared teams and they proceeded towards the spot. The teams disbursed at one spot to intercept the vehicle by hiding their presence. At the spot, police intercepted the sumo jeep and also one fiat car which was following sumo jeep. Some persons ran away from the jeep but the police could take the others in custody. The present applicant was taken in custody on the spot

by the police. When personal search of this person was taken and the search of the vehicle was taken, police recovered three country made pistols, four country made fire arms, seven choppers, some mobile handset and other articles, weapons like sword and iron pipe were also found in the vehicle. As there was information and these weapons were found with the persons who had travelled in the vehicle, they were taken in custody. They disclosed the names of the other persons who had run away. Four persons who were found in the car were also taken in the custody.

3. The material collected shows that the evidence would be mainly of the police officers. The learned A.P.P. submitted that the present applicant is history sheeter and as against him as many as seven crimes similar in nature were registered in various police stations. Learned A.P.P. submitted that the applicant may abscond in case of his release on bail.

4. The crimes mentioned in the report shows that they are very old offences. Only C.R. numbers are mentioned and nothing is mentioned about the cases if at all they were filed in the said crime. Further it is not the contention of the investigating agency that the applicant is wanted in any crime or NBW is issued against him in any similar case. In view of these circumstances and as the applicant is behind bars for quiet sometime, it is not desirable to keep the accused behind the bar for disposal of the case. In the result, the following order :-

- (a) The application is allowed.
- (b) The applicant is to be released on bail in C.R.No.306 of 2016 registered in Talegaon Dabhade Police Station, District Pune on his furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand Only) with one or more solvent surety of the

like amount.

(c) The applicant is not to tamper with prosecution witnesses.

(d) He is not to commit similar offences.

(T.V.NALAWADE, J.)