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

CRIMINAL BAIL APPLICATION NO.1441 OF 2017

Sachin Vasant Khalase	...Applicant
Versus	
The State of Maharashtra	...Respondent

***WITH
CRIMINAL BAIL APPLICATION NO.1653 OF 2017***

Shankar Vasant Khalase	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Satyavrat Joshi, for the Applicants in both the Applications.

Ms.Rutuja Ambekar, A.P.P for the Respondent-State in BA No.1441 of 2017.

Ms.P.P.Shinde, A.P.P for the Respondent-State in BA No.1653 of 2017.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st AUGUST, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By these applications, the Applicants seek their enlargement

on bail in connection with C.R.No.320 of 2016 registered with the Wakad Police Station, Pune, for the alleged offences punishable under Sections 307, 336, 427, 143, 144, 149 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants submit that the applicants are in custody since 11th June, 2016 and that investigation is complete and charge-sheet is filed. He submitted that co-accused in the said case, have been enlarged on bail. He submitted that no person has sustained any injuries in the said incident.

4. Learned APP opposed the application. They submit that the applicants have been specifically named by Rajesh Ovhal, Prabhakar Wavale and Rahul Rokade and that the applicants have been assigned specific roles. They submitted that both the applicants have antecedents.

5. Perused the papers. The incident has taken place on 11th June, 2016 at about 2.30 p.m. It is alleged that the applicants came to the said area, where Kishore Tayade's Indica Car was parked and started throwing stones on the said car and broke the glass of the car. It appears, that when

the complainant questioned the applicants, one of them who was armed with a sword came in his direction with an intention to assault him, however, the attempt failed, as the complainant ducked. It appears that the applicants alongwith others were mindlessly throwing stones on the vehicles, which were parked outside the area and that 12 to 13 cars were damaged. It appears that there is a recovery of sword, at the instance of the applicant – Sachin Vasant Khalase. It also appears that applicant-Sachin has 9 antecedents i.e. under Sections 307, 326 etc., and that the applicant – Shankar Vasant Khalase also has 9 antecedents. It also appears that applicant – Shankar was twice externed from the area. It appears that the aforesaid offences were committed for no rhyme or reason, whilst the applicants were on bail.

6. Considering the aforesaid, this is not a fit case to enlarge the applicants on bail.

7. Hence, both the Applications for bail are rejected and disposed of as such. However, the trial of the applicants is expedited.

8. It is made clear that the observations made herein are prima facie for deciding these applications, 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.)