

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.693/2017

Shri Vijay @ Golaya S/o Anil Bodade

..Vs..

The State of Maharashtra, through G.R.P. Badnera, Tq. and Distt. Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.S. Shingane, Adv. for the applicant.
Shri M.J. Khan, A.P.P. for the non-applicant / State.

CORAM : Z.A.HAQ, J.

DATE : 27.7.2017.

Heard.

The applicant is arrested on 27th January, 2017 in connection with Crime No.22/2017 registered against him and others for the offence punishable under Section 395 of the Indian Penal Code.

According to the investigating agency, the accused committed decoity in Bhusawal Nagpur passenger near Malkhed and they looted a passenger (complainant) of Rs.2,800/-.

The learned Advocate for the applicant has pointed out that co-accused Israil Khan and Dominic are released on bail as per the order passed by this Court on 4th July, 2017 and 21st July, 2017. It is further submitted that the charge-sheet is filed and the non-applicant does not require custody of applicant for further investigation.

Learned A.P.P. has pointed out that in case of

Israil Khan and Dominic, the fact that they are not involved in any other crime / offence weighed with the Court, however, in case of the present applicant crime for offence punishable under Sections 392, 323 read with Section 34 of the Indian Penal Code is registered against the applicant. The application is opposed on the ground that the applicant has tendency to commit crime and if he is released on bail, he may again commit similar crime.

After examining the material on record, I find *prima facie* substance in the apprehension expressed on behalf of the non-applicant. Therefore, I am not inclined to grant the prayer made in the application. The application is **dismissed**.

The learned Advocate for the applicant has requested for direction to the trial Court to conclude the trial expeditiously.

The applicant is granted liberty to request the trial Court for expeditious trial and it is hoped and trusted that if such request is made, it would be appropriately considered by the trial Court.

JUDGE