

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.357 OF 2018

(Rajesh s/o Baburao Rathod ..vs.. State of Maharashtra, through PSO, PS Manora, District Washim)

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

Court's or Judge's orders

Shri R.J. Shinde, Counsel for the applicant,
Shri C.A. Lokhande, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 08-06-2018

The applicant is implicated in Crime 91/2018 registered at Police Station Manora, District Washim for offence punishable under Section 395 of the Indian Penal Code.

2. The accusation is that on 31-3-2018 between 4-00 and 4-30 p.m. the applicant alongwith others assaulted the informant Satyaprakash Sharma and his nephew and snatched Rs.50,000/- cash, one gold chain and two mobile sets.

3. I have perused the case diary and in particular the first information report and the statements recorded. Having done so, I am of the opinion that there is sufficient material on record to *prima facie* connect the applicant to the crime. The submission of the learned Additional Public Prosecutor that custody of the applicant is required *inter alia* to recover the stolen property is not

without merit. The investigation is on going and if at this stage the investigating agency is not permitted to interrogate the applicant in custody, investigation shall be hampered.

4. I am not inclined to exercise discretion in favour of the applicant.

5. The application is rejected.

JUDGE

adgokar