

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

Cri. BAIL APPLICATION NO. 543 OF 2019

Vikas Raju Ghumane

... Applicant.

V/s.

The State of Maharashtra

... Respondent.

Ms. Rushita Jain, Advocate i/by Abhishek Mishra for the Applicant.

Mr. A. R. Kapadnis, APP for the State.

(Mr. Gharge, API, Kurar Police Station, is present.)

CORAM : PRAKASH D. NAIK, J.

DATE : MARCH 07, 2019.

PC :

1 This is an application for bail. The applicant is arrested in C.R. No. 231 of 2018 registered with Kurar Police Station, Mumbai, for the offences under sections 399, 402 of Indian Penal Code read with sections 3, 4, 25 of Arms Act, 1959, r/w. Sections 37(1) A, 135 of Mumbai Police Act, 1951.

2 The case of the prosecution is that the complainant received information that some persons are likely to conduct dacoity in a CNG Gas Station at Arunkumar Vaidya Road, Malad (E), Mumbai in the mid-night of 13.04.2018. Senior Police Inspector of concerned police station was informed and

in turn other police officers, on duty, were also informed. At about 3.10 a.m., in the mid-night, accused persons were apprehended and the weapon was recovered at the instance of the present applicant-accused.

3 Learned counsel for the applicant submitted that the co-accused in the case has been granted bail by this court vide order dated 30.01.2019 passed in Cri. B.A. No. 3247 of 2018. Learned APP, however, submits that there are 10 cases registered against accused-persons including the present applicant and that the applicant is habitual offender.

4 Considering the case of the prosecution and the fact that there are 10 similar cases pending against the applicant, no case for grant of bail is made out.

5 The application is rejected.

6 In the event, trial is not concluded within one year, applicant will be at liberty to apply afresh for bail.

(PRAKASH D. NAIK, J.)

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