

Anand

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

BAIL APPLICATION NO. 645 OF 2019

Mirza Arif Kazim Baig .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Viresh V. Purwant, Advocate, for the Applicant
Mr. S. S. Hulke, APP, for the Respondent – State
Mr. Manjare, PSI, D N Nagar Police Station, Mumbai present

CORAM : REVATI MOHITE DERE, J.

DATE : 08.08.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 310 of 2018 registered with the D N Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 399 & 402 of the Indian Penal Code.

3. Perused the papers. Pursuant to a secret information received by the police, that three persons were sitting in a white Innova car near Nallah opposite Andheri Krupa Prasad Construction and that their movements were suspicious, the police went to the said spot. The

information also revealed that one Javed had come with his associates for the purpose of committing dacoity and that they were armed with deadly weapons. The police monitored their movements. The said three suspects went and sat in Gita Hotel, near Dawood Baug lane. The Complainant and two others sat in the hotel as customers on the table next to the said persons. According to the prosecution, two more persons came there and sat with the said three persons (suspects) and were chit-chatting. It is alleged that one of the accused i. e. Javed pointed his finger towards Kanakraj Jewellers and told other four accused (including the Applicant) that they were going to rob Kanakraj Jewellers. The said conversation was heard by the Complainant and one panch witness. Thereafter, the police surrounded the accused and took them in custody. In the personal search of the applicant, the Innova car key and a pouch containing chilli powder was found. The other accused were found with weapons. During investigation, it transpired that the said vehicle was stolen from Karnataka and that an FIR was lodged in Karnataka in 2018 with respect to the said car. The Applicant is from Karnataka.

4. Considering the material on record as against the Applicant, this is not a fit case to enlarge the Applicant on bail. Hence, the Application stands rejected. However, the trial of the Applicant is

expedited. Learned Judge to conclude the case as expeditiously as possible and preferably within 12 months from the date of receipt of this order.

(REVATI MOHITE DERE, J.)