

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION (ST.) NO.6127 OF 2020**

Vikas Tukaram Jadhav .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Ajay Basutkar for the Applicant.

Mr. S.V. Gavand, A.P.P. for the State.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 17TH DECEMBER, 2020.

P.C:-

1. The Applicant seeks his release on bail in anticipation of his arrest in C.R. No.178 of 2019 registered with Vadgaon Maval Police Station, Pune, invoking Sections 392, 395 read with Section 34 of the IPC.
2. The Complainant allege that in the evening of 05/05/2019 he was en-route Pune-Bombay Highway towards his village Ambi and when he stopped his motor cycle near New English School,

one car stopped and two persons disembarked from the said car and they approached the Complainant and asked for an address. At that moment, they snatched his gold chain and also took away his mobile phone from his upper pocket and fled away. The description of the two persons have been given by the Complainant as the one who snatched the gold chain to be between 25 to 30 years and the other person who snatched the mobile phone to be between 30 to 32 years. The submission of the learned counsel is to the effect that there is nothing to connect him to the said crime as neither the vehicle has been recognized nor there is any Test Identification Parade conducted.

3. The case is still under investigation. The Applicant is seeking bail in anticipation of his arrest and merely because there is no recovery of stolen property from him, it cannot be said that he is not a suspect. The report of the Crime Branch referred to similar antecedents of the Applicant who is operating in the same area and is indulged himself into activity of snatching of chains.

4. Considering the nature and accusation and particularly since the Complainant has stated that the accused persons were unknown and the fact that the Applicant is the suspect being earlier indulged himself into similar offences, the custodial interrogation of the Applicant is very much necessary and he can be then subjected for Test Identification Parade. The C.R. has been registered on

06/05/2019 and it is more than a year and the investigation is still incomplete. The Application is, therefore, rejected.

SMT. BHARATI DANGRE, J.