

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

912 ANTICIPATORY BAIL APPLICATION NO.688 OF 2021

Akash s/o Pandurang Shinde,
Age; 30 years, Occ; Labour,
R/o; Vilad, Tal; Nagar,
District Ahmednagar.

...Applicant

Versus

The State of Maharashtra,
Through the Police Station,
M.I.D.C. Police Station,
Tq. Dist. Ahmednagar.

...Respondent.

...
Advocate for Applicants : Mr.Karpe Rahul R.
APP for Respondent-State : Mr. V.S.Badak
...

CORAM : SANDEEP K. SHINDE , J.

Date :- 08th July, 2021.

P. C. :

1. Heard the learned counsel for applicant and learned APP for the State.
2. Apprehending the arrest in connection with the Crime No. 290/2021 registered with MIDC Police Station, Ahmednagar for the offences punishable under Sections 392, 397 read with 34 of the Indian Penal Code, 1860 ('IPC' for short).
3. The complainant is a driver of a truck. On 10th May, 2021, he was waiting outside in a Company Godown at village Shendi for unloading the goods. At around 4.20 a.m., three unknown persons in

the age group of 25-30 entered into the truck cabin, waived weapons and robbed him of cash of Rs. 1,500/-. Where after, all three ran away on motorcycle. The driver reported the incident in the morning at around 8.36 a.m. Where after, the subject crime was registered under Sections 392, 397 read with Section 34 of the IPC.

4. It appears the offences of similar nature were reported and therefore, a trap was laid at a place where the trucks were parked over night. On 18th May, 2021, when a trap was laid, three persons attempted to commit an offence of same nature. Whereupon, two persons were nabbed on the spot; namely Swapni, and Kishor, but third persons managed to escape. When inquired with arrested persons, they disclosed the name of applicant who had fled the spot. Besides, prosecution has pointed offence of same nature registered against the applicant i.e. Cr. No. 163 of 2014. Therefore, material on record prima-facie suggest the applicant's complicity in the subject crime. Offence punishable under Section 397 of the IPC is punishable with imprisonment, which shall not be less than seven years. In consideration of these facts, I am not inclined to grant pre-arrest bail.

5. Application is rejected.

(SANDEEP K. SHINDE)
JUDGE