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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1009 OF 2020**

ABHAY MEWALAL VISHWAKARMAApplicant.
V/s
THE STATE OF MAHARASHTRARespondent

Mr. M. K. Dubey i/b Veenu Dubey for the Applicant.

Mr. Ajay Patil, APP for the Respondent/State.

PI Vivek Sonawane, Security Branch, Mira-Bhayander & Virar Police
Commissionerate, present.

PI Vijay Sathe, Virar Police Station, Mira-Bhayander & Virar Police
Commissionerate, present.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 13, 2021

P.C.:-

1] Applicant is seeking regular bail in CR-I-1178 of 2019 registered with Virar Police Station for the offence punishable under Sections 302, 397, 459, 460, 34 of the Indian Penal Code, under Sections 3, 25 and 27 of the Arms Act and under Sections 37(1), 3 of the Maharashtra Police Act.

2] Pursuant to the submission made on the last occasion i.e. on 29/11/2021 on seizure of country-made Pistol, learned APP on instructions informs that initially accused persons were assaulted after

they were apprehended on the spot, hospitalized for three days and thereafter they were taken into custody. That being so, the said submission that before arrest the seizure was shown is without any basis appears to be quite justified.

3] Apart from above, there is discovery under Section 27 and three eye witnesses to the incident viz Nirmalkumar Amir Yadav, Nandkishor Amir Yadav and Vikaskumar Vithulal Gupta. There is strong evidence available on record to infer prima facie involvement of the Applicant in crime. That being so, no case for bail is made out.

4] Application for bail stands rejected.

(NITIN W. SAMBRE, J.)