

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) 687 OF 2021

(Ballusingh s/o. Gabbusingh Bhada..vs.. State, thr PSO, PS Benoda, Tq. Warud, Dist. Amravati)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. V.N. Mate, counsel for applicant.
Mrs. K.R. Deshpande, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.

DATE: 30.11.2021.

The applicant, who is already facing forty prosecutions for serious offences, is seeking bail in Crime 135/2018, registered with Police Station Banoda, Tahsil Warud, District Amravati, for offence punishable under section 395 read with section 34 of the Indian Penal Code.

2. The trial has commenced in the sense that the charge is framed. However, the alleged partners in crime accused 1 to 3, who were released on bail, have absconded. I am not inclined to grant bail for reasons briefly spelt out.

3. The allegation is that the applicant and the co-accused broke open a jewelry shop at 4.00 a.m. on 2.12.2018 and when they were attempting to flee with the

jewelry, the shop owner reached the spot. The shop owner attempted to apprehend one of the accused and were assaulted by iron road and stones.

4. There is more than ample material on record to connect the applicants with the crime. Pursuant to disclosure made in statement recorded under section 27 of the Indian Evidence Act, part of the stolen ornaments are recovered from the applicant. Considering the criminal antecedents of the applicant, and the material on record, no discretion can be exercised, the application is dismissed.

Judge

Belkhede