

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

BAIL APPLICATION NO. 229 OF 2022

Ramdas Bhausahab Bhosale

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Ravindra Pachundkar for the Applicant.

Mr. P.H.Gaikwad, APP for the State.

I.O. Narayan Pawar present.

Keshav Wable, API present.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : 30th NOVEMBER, 2022.

P.C.

1. This is an application under Section 439 Cr.P.C. filed by the aforesaid applicant, who is facing trial in Crime No. 665 of 2021 registered with Yawat Police Station , Pune for the offences under Section 392, 395, 120-B, 170 and 171 of the Indian Penal Code.

2. Heard Mr.Pachundkar, learned Counsel for the applicant and Mr. Gaikwad, learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsels for the respective parties.

Digitally
signed by
PRASANNA P
SALGAONKAR
Date:
2022.12.01
20:00:32
+0530

PRASANNA P
SALGAONKAR

3. The aforesaid crime was registered pursuant to the FIR lodged by Hitendra Jadhav, who was working for New India Courier Services at Latur. His duty was to carry cash received by the Courier company from Latur to Mumbai. He has stated that on 02.08.2021 at about 5.00 p.m. he had collected a parcel containing cash and gold received by New India Courier Services and that he had boarded S.T. Bus to Mumbai. At about 1.15 a.m. three persons boarded the bus. One of them enquired with the conductor whether there was any person traveling with pass. The conductor directed them to the passengers on the rear seats. The said person who claimed to be police personnel, questioned the complainant whether he was doing some illegal business. He assaulted the complainant with fibre cable and pulled him out of the bus. The said person snatched the mobile of the co-passenger Dhanaji Bobade and took away the packet containing cash, and proceeded on a buttle motor cycle stating that they would be at the police station. The complainant suspected that the said three persons were not police personnel and hence he lodged a complaint against unknown persons for committing theft of Rs.1,12,36,860/- .

4. The applicant herein was arrested on 06.08.2021. He has

been identified by the Complainant. The material on record prima facie reveals that cash of Rs.83,70,000/- as well as gold ornaments worth Rs.7,00,000/- have been recovered from the applicant. In the course of investigation, two wheeler bearing no. MH 12 TF 9693 has also been seized from the present applicant. The CDR records also prima facie show the location of the applicant at the place of the incident. There is prima facie material against the applicant to show his involvement in the said crime. The gravity of offence does not justify bail. Hence the application is dismissed.

(ANUJA PRABHUDESSAI, J.)