

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO.2632 OF 2021**

Mohammed Sidiq Rais Khan

....Applicant

Versus

The State of Maharashtra

....Respondent

Mr. Khwaja Shaikh for the Applicant.

Smt. A.A. Takalkar, APP for the State.

Mr. B.V. Gaonkar, PSI, Amboli Police Station present.

CORAM: BHARATI DANGRE, J.

DATED : 25th JULY, 2022

P.C:-

1. Heard the learned counsel for the applicant and perused the charge-sheet filed against him vide C.C.No. 1403/PW/2021.
2. He is charged for the offence punishable under Section 454, 457 and 380 of the Indian Penal Code.
3. On perusal of the material compiled in the charge-sheet, it can be seen that the applicant was caught red-handed by the complainant on 11.05.2021 when he entered into the shop by opening the shutter. He was apprehended when he tried to escape and it is alleged that he admitted to have stolen the goods, secured by the complainant, which include, the spare parts of pick-line machine in the form of regulator, housing plates etc.
4. On conclusion of the investigation, the material against

him has been crystallized in the charge-sheet.

The learned APP has invited my attention to the antecedents attributed to the applicant, which are also compiled in the charge-sheet and this include six distinct offences registered with Oshiwara Police Station from 2018 to 2019. Out of six offences, one offence is of a similar nature being registered with Dindoshi Police Station in the year 2020. Apart from this, he has also been accused of the offences under the Arms Act registered in the year 2014 and also in the year 2020.

5. The learned counsel for the applicant would vehemently submit that mere antecedents of the applicant shall not preclude him from securing the bail. I am not inclined to accept the said submission since it can be seen that the applicant is a habitual offender and is accused of criminal trespass as well as theft, right from the year 2013.

6. Considering the gravity of the accusations as well as the antecedents attributed to the applicant, he do not deserve his release on bail.

7. The application is rejected.

(SMT. BHARATI DANGRE, J.)