

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

CRIMINAL BAIL APPLICATION NO. 17 OF 2024

Nabir Abdulkalam @ Lokman Shaikh ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. B. G. Tangsali, Advocate for Applicant.

Ms. Priyanka Rane, APP for State-Respondent

Mr. Nilesh Nalawade, API Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 30th JULY, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure, the applicant is seeking bail in Crime No.651 of 2023, registered with Wakad Police Station, for the offences punishable under Sections 307, 353, 395, 398, 458 and 511 of the Indian Penal Code, 1860 and Sections 4/25 of Arms Act, 1959 and Section 37 (1)(3) read with Section 135 of Maharashtra Police Act, 1951.

3) The allegations are about dacoity. Total 14 accused are involved in the present offence. Out of 14 accused, four have been accosted from the spot. As far as the applicant is concerned, he fled away from the spot and thereafter he absconded and was arrested on 2nd September, 2023. The offence is very serious and CCTV footage supports the case of the prosecution about his presence.

4) Thus, having considered the charge-sheet and the material collected by the Investigating Officer during the investigation, it is evident that he was absconding after the alleged offence. Hence, there is every possibility that he may not be available for trial if he is released on bail. In the circumstances, I am of the opinion this is not a fit case for grant of bail. Accordingly, the Application is rejected.

[ANIL S. KILOR, J.]