

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1404 OF 2024

Ajaykumar Lakhdevprasad Yadav,
Age 24 years, Occ.Helper,
R/o.S.No.17/2, Dhavdevasti, Ganeshnagar,
Bhosari, Pune (presently in Yerwada Prison). Applicant
versus
The State of Maharashtra Respondent

Mr.Kamran S.Shaikh, Advocate for Applicant.
Mr.Shreeram S.Chaudhari, APP, for State.
PSI Bapusaheb Khandare, Hadapsar Police Station, Pune, present.

CORAM : ANIL S.KILOR, J.

DATE : 4th September 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.1429 of 2022 registered with Hadapsar Police Station, Pune City, for the offences punishable under Sections 302, 394 of the Indian Penal Code.
3. Learned counsel for Applicant argues that there is no recovery from the Applicant. However, from the charge sheet, it is evident that iron bars stolen were recovered from the co-accused.
4. It is submitted that the witness who identified the Applicant, his name is not mentioned in the list of witnesses.
5. In reply, learned APP points out that there was a typographical mistake in recording the name witness who identified the Applicant.

It is pointed out that the witness who identified the Applicant, his name appears in the list of witnesses. Furthermore, it is pointed out that there is sufficient incriminating material available on record to show the complicity of Applicant in the alleged offence.

6. Thus, considering the nature of offence, its seriousness and further the relevant evidence collected by the Investigating Officer against the Applicant, I am of the opinion that this is not a fit case for grant of bail. In that view of the matter, the application is rejected.

(ANIL S.KILOR, J.)

MST