

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3321 OF 2024

Babu Namdev Mirekar ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr Ali Kaashif Khan Deshmukh, Ms Hitanshi Gajaria, Ms Snigdha Khandelwal, Ms Bhagyashree Sortur, Ms Nainab Burmawala, Advocates for Applicant

Mr Pandurang H. Gaikwad-Patil, APP for the State.

Mr Rohit Bidwe, Advocate for Respondent No.2.

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CORAM : ANIL S. KILOR, J.

DATED : OCTOBER 16, 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.1406 of 2023, registered with Hadapsar Police Station, District: Pune for the offences punishable under Sections 302, 120-B, 143, 144, 147, 148, 149 read with Section 34 of the Indian Penal Code, Section 4/25 of the Arms Act, Sections 3 and 7 of the Criminal Law Amendment Act and Sections 37(1)(3), 135 of the Maharashtra Police Act.

3. The allegation against the applicant is that he is the conspirator and he has provided weapons which were used in the present offence, though it is the case of the applicant that he himself informed the incident to the police, however, there are statements of the witnesses who have seen the co-accused with the applicant and these statements of the witnesses support the case of the prosecution. Furthermore, there is a CCTV footage, as pointed out by the learned APP which also *prima facie* shows that the applicant is a conspirator and supplied weapons, which were used in the alleged offence.
4. In the circumstances, the submission made by the learned counsel for the applicant that the applicant has no connection with the co-accused, cannot be accepted.
5. In that view of the matter, since there is sufficient *prima facie* evidence available against the applicant and the offence is very serious, I do not find any merit in the present application for grant of bail, hence, it is **rejected**.

The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)