

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

Anticipatory Bail Application No. 3294 of 2024

Ravi Krishna Vishwakarma
Male, Age 22 years,
R/o. Kurla West, Baba Miya
Chawl, Indira Nagar,
Jari Mari, K. A. Road,
Kurla (West), Mumbai – 400 072. ... Applicant

Vs.

The State of Maharashtra
(At the instance of D. N. Nagar
Police Station, Mumbai) ... Respondent

Mr Pramod Pandey a/w Mr Rahul Mishra, for the applicant.
Mr Swapnil S Pednekar, APP, for the respondent – State.
API Sunit Ghadage, D N Nagar Police Station, Mumbai, is
present.

Coram: R.N. Laddha, J.
Date: 4 December 2024

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.568 of 2024, registered at DN Nagar Police Station, Mumbai, for offences punishable under Sections 457, 454 and 380 of the Indian Penal Code.

2. The prosecution alleges that on 10 June 2024, in the wee hours of the night, the applicant entered Gharka Medical Shop by breaking the shutter lock and stole Rs.97,180/- stored in the cash register.

3. Mr Pramod Pandey, the learned Counsel appearing on behalf of the applicant, contends that the applicant is not named in the FIR and falsely implicated in the crime due to personal enmity as his dues were not cleared. The learned Counsel submits that the applicant has cooperated with the investigation, and nothing remains to be recovered from him. The applicant is ready to abide by any conditions set by this Court.

4. Mr Swapnil Pednekar, the learned Additional Public Prosecutor representing the respondent/ State, opposing the request for pre-arrest bail, submits that the applicant used to work at the shop and had knowledge of the shop's operations, including the safekeeping of the key to the cash register. The applicant entering the store by breaking open the shutter lock and stealing the cash has been recorded in the CCTV footage. Further, the Call Detail Records (CDRs) also suggest the applicant's presence in the vicinity. The investigation is ongoing, and if the applicant is granted pre-arrest bail, he may

tamper with the evidence or influence witnesses.

5. This Court has given anxious consideration to the rival submissions canvassed across the Bar.

6. Upon perusing the records, it appears that the applicant is accused of stealing Rs.97,180/- stored in the cash register by breaking open the shop's lock. It is undisputed that the applicant was employed at the shop before the theft. The applicant was aware of the shop's operations and the secret location of the key to the cash register. From a perusal of the records, especially the CCTV footage and CDRs, it appears that the applicant was present at the scene. *Prima facie*, the material on record discloses reasonable grounds to believe the applicant's complicity. The investigation is in progress. In these circumstances, this Court is not inclined to exercise its discretion in favour of the applicant. As a result, the application stands rejected.

(R.N. Laddha, J.)