



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 376 OF 2024

Ravi Mohanlal Shribhate V/s State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. I. Deshmukh, counsel for applicant.

Mrs. H.N. Prabhu, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 13/08/2024.

1. The present application is preferred by the applicant for grant of bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with Crime No. 766/2022, registered at Police Station Pandharkawda, Tq. Kelapur, District Yavatmal, for the offences punishable under Sections 454, 380, 411 read with Section 34 of the Indian Penal Code, 1860. The applicant is arrested on 28/06/2023.

2. As per the allegation, the co-accused, Atul Kamble, has committed the theft and stolen golden ornaments of Rs. 4,31,000/- by committing lurking house trespass by night. During the investigation of Crime No. 725/2023, co-accused Atul Kamble gave a memorandum statement and admitted the fact that he, along with the present applicant and another co-accused, had committed the offence of housebreaking. On the basis of said report, the police have registered the crime.

3. Learned counsel for the applicant submitted that earlier the applicant was released on bail, however, his bail was cancelled. Thereafter, he has committed two offences. He contends that he could not enter the vicinity of Pandharkawada. He submitted that since the date of arrest, the applicant is behind bar. There is no progress in the trial. In view of that, he be released on bail.

4. Learned APP strongly opposed the said applicant and pointed out that earlier, the present applicant had filed a criminal application (BA) No. 1044/2023, which was rejected by this Court by considering this fact. In view of that, the application deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, there is orders passed by this Court from which it reveals involvement of the applicant in similar types of the offences. He contravened the condition imposed by the Court. He could not enter the vicinity of Pandharkawada. Thus, it reveals that the applicant has not shown any respect to the orders passed by the Court and has contravened the conditions as well as committed the offense. There are also criminal antecedents against the present applicant. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass the following order:

a] The criminal application is **rejected**.

- b] The learned trial Court shall dispose of the trial within six months.
- c] The criminal application stands disposed of.

[URMILA JOSHI-PHALKE, J.]