

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO. 734 OF 2015**

|                          |                |
|--------------------------|----------------|
| Eshwar Uttam Wagh & Anr. | ... Applicants |
| Vs.                      |                |
| The State of Maharashtra | ... Respondent |

None for the applicants.

Mr. Arfan Sait, APP for the State.

I.O. Mr. Sawant, Sr. P.I., Chaturshringi Police Station present.

CORAM: **MRS.MRIDULA BHATKAR, J.**  
DATE : **JUNE 15, 2015**

**P.C.:**

None appears for the applicants, when the matter is called out. However, learned APP produced the report and the instructing officer is present. Learned APP relied on the report dated 15<sup>th</sup> June, 2016 given to him by the Investigating officer Mr. Anandsingh Sable thereby informing that applicant no. 1 Eshwar Uttam Wagh is arrested, therefore, his Anticipatory bail Application becomes infructuous. Learned APP relies on the report of applicant no. 2-Mahesh Tapkir wherein the Investigating officer has informed in writing that no evidence is available against this applicant/accused after making enquiry with the witnesses, therefore, his arrest is not necessary.

2. In view of this, the Application for anticipatory bail is disposed of

with following order:

**ORDER**

- (i) Applicant no. 1 Eshwar Uttam Wagh is arrested, hence his Application for anticipatory bail becomes infructuous.
- (ii) If the Investigating officer wants to arrest applicant no. 2 Mahesh Tapkir, then the Investigating officer shall give 72 hours prior notice to him to enable him to take appropriate steps.

**(MRS.MRIDULA BHATKAR, J.)**