

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.899 OF 2015

Nitin Namdeo Bhopi

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.J.G. Shetty for the Applicant

Mr.S.S. Pednekar, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JULY 8, 2015**

P.C.:

1. The application is moved for pre-arrest bail as the applicant/accused is facing charges under section 379 in relation to C.R. No.85 of 2015 registered at Roha police station, District Raigad, at the instance of one Babu Rama Shelke, who gave the information on 1.6.2015. It is his case that the applicant/accused is in the business of purchase and sale of buffaloes. The applicant/accused had given a proposal to the complainant of purchasing his buffalo. However, it was not materialised till mid May, 2015. Thereafter on 22.5.2015, one of his buffaloes which went for grazing, did not return and, therefore, he suspected that the applicant/accused must have stolen it.

2. The learned Counsel for the applicant/accused submits that he has not committed any offence of theft. Nobody has seen him taking the buffalo and there is no evidence against him except suspicion.

3. Learned Prosecutor has opposed the application.
4. On perusal of the complaint and the documents produced by the prosecution and the accused, it appears that the case as on today stands on suspicion. In view of this, I am inclined to grant pre-arrest bail on the following terms:
 - i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/-, with one or two sureties in the like amount;
 - ii) The applicant shall not tamper with the evidence;
 - iii) The applicant shall not indulge into any kind of offence while on bail;
 - iv) The applicant shall cooperate with the Investigating Officer and attend the concerned police station on 10th July, 2015, 17th July, 2015 and 24th July, 2015 between 4 pm to 6 pm.
5. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)