

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

ANTICIPATORY BAIL APPLICATION NO.1246 OF 2015

Sachin Dattu Gavli	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Shailesh A Chavan, Adv. for the applicant.

Mrs. Veera Shinde, APP for State.

CORAM : SMT ANUJA PRABHUDESSAI, J.

DATE : 7th December, 2015.

P.C. :

1. This is an application for anticipatory bail filed by the aforesaid applicant in Crime No.263 of 2013 registered at Shikhrapur Police Station for the offences punishable under Sections 392, 395 and 412 of IPC.

2. Heard Mr.Chavan, the learned counsel for the applicant and Mrs. Veera Shinde, the learned APP for State. I have perused the record and considered the submissions advanced by the learned counsel for the respective parties.

3. The records prima facie reveal that one Sandip P Tatade had lodged the complaint that two persons had intercepted the truck which was loaded with Iron rods and thereafter abducted the cleaner and driver from the truck and in the mean time the applicant had unloaded the truck and committed theft of the iron rods worth

Rs.3,75,000/-. The stolen property has been recovered at the instance of the other co-accused. The application for anticipatory bail has been resisted on the ground that the presence of the applicant is required for establishing his role in the crime and also for establishing his identity. The learned APP has submitted that the chargesheet as well as the supplementary chargesheet has been filed against the applicant. The records reveal that the investigation as regards this applicant is already completed. Thus the presence of the applicant is not required for the purpose of investigation.

4. Under these circumstances, the application is allowed on the following terms.

1. In the event of arrest of the applicant in Crime No.263 of 2013 registered at Shikhrapur Police Station, the applicant shall be released on bail bond of Rs.10,000/(Rupees Ten Thousand Only) with one or two sureties in the like amount to the satisfaction of the JMFC, Shikhrapur.
2. The applicant shall report to investigating officer for 7 days from 10 am to 1 pm and further as and when required by the investigating officer for the purpose of the interrogation.
3. The applicants shall not tamper with the evidence or influence complainant and witnesses in any manner.

(ANUJA PRABHUDESSAI, J.)