

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

Criminal Application [ABA] No.452 of 2016

(Bhujang Namdeo Pendane

vs.

State of Maharashtra, through P.S.O. Koradi, Nagpur)

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*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

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Court's or Judge's Orders

*Shri T.H. Bewali, Advocate for the Applicant.
Shri N.R. Patil, A.P.P. for the Non-Applciant/State.*

CORAM : S.B. SHUKRE, J.
DATE : 23rd SEPTEMBER, 2016.

Heard the learned Counsel for the applicant and
the learned A.P.P. for the State.

This applicant has been sought to be implicated in the crime only because he is the owner of the truck by which the contraband sand was being transported. According to the statement of the truck driver-accused No.1, the sand was being transported at the instance of the truck owner Rajesh Pendane. It appears that Rajesh Pendane, when questioned by the police, only said that the truck was belonging to his brother. In such circumstances, it is difficult to ascertain the role of this applicant in commission of the crime registered against him. In any case, the sand as well as the truck have been seized. Interestingly, this truck has been released on Supratnama to the custody of the driver-accused No.1 and not this applicant,

who is stated to be the owner of this vehicle by the Investigating Officer. No explanation has been furnished by the investigating agency as to why the truck was allowed to be released to the custody of the driver and not its owner. In these circumstances, I am of the view that this is a fit case for grant of anticipatory bail to the applicant. Hence, the order.

The application is allowed. The interim anticipatory bail granted to the applicant on 14th July, 2016 is hereby confirmed on same conditions.

The application is disposed of.

JUDGE

**sdw*

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of the original signed order.

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 27/09/2016