

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

CRIMINAL APPLICATION (BA) NO.961 OF 2016

(Hansraj s/o Shivcharan Goyal ..vs.. State of Maharashtra, through PSO, PS Pulgaon, District Wardha)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S. Jaiswal, Advocate for the applicant,
Shri V.P. Gangane, Addl.P.P. for the non-applicant.

CORAM : P.N. DESHMUKH, J.
DATED : 02-12-2016

Heard Shri P.S. Jaiswal, learned Advocate for
applicant and Shri V.P. Gangane, learned Additional
Public Prosecutor for non-applicant.

This application is filed for grant of bail in Crime
No.1076/2016 registered under Sections 392, 395, 411
read with Section 34 of the Indian Penal Code. The
learned Advocate for applicant contended that
involvement of applicant even according to the case of
prosecution, is only of receiving of stolen property in the
present crime as well as Crime No.103/2016, which is in
the form of iron bars and applicant is already on bail in
Crime No.103/2016. It is thus contended that as
applicant was interrogated on his arrest and is in
custody, there is no purpose of keeping him behind bar
pending trial.

It appears to be case of prosecution that on 03-08-2016 report was received involving four unknown persons who have committed theft of 10 ton of iron bars from one site of Gunjkheda in Tahsil Pulgaon. On the basis of report of registration of crime accused came to be arrested and on their statements applicants' involvement is revealed to have received 10 ton of iron bars and as such he is arrested.

Having considered involvement of applicant as aforesaid, though investigation is in progress, since applicant on his arrest is granted magisterial custody, there appears no further investigation to be carried out from applicant. In that view of the matter, application is allowed as per order below.

Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount.

Applicant shall attend Investigating Officer as and when called till filing of charge-sheet.

Applicant shall supply proof of residence and shall update the same in the event of change of residence in future.

Application is allowed.

JUDGE