

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

27 CRIMINAL APPLICATION NO. 2619 OF 2017

ARUN S/O. AMBADAS KACHRE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Salunke Sudarshan J
APP for Respondent State: Mr. P. N. Kutti

CORAM : K. L. WADANE, J.

DATE : 12th June, 2017

ORDER:

1. Heard Mr. Salunke, the learned counsel for the applicant and Mr. Kutti, the learned APP for the State.

2. Present Criminal Application is filed under section 438 of the Code of Criminal Procedure for grant of anticipatory bail in connection with Crime No. 116/2017 registered with Majalgaon Rural Police Station, Dist. Beed for the offences punishable under sections 379 420, 465, 468, 471, read with section 34 of the Indian Penal Code, 1860.

3. On the basis of information given by the Police officer of the Special Squad, crime is registered against the accused persons for excavation of sand and for fabrication of false record.

4. Mr. Salunke, the learned for the applicant

submits that present applicant is auction purchaser. He is supposed to lift the sand as per auction purchase. He has no connection with the other accused persons, those are drivers and owners of 12 heavy vehicles, in which, according to the prosecution, sand was carried.

5. Perused the papers of investigation, from which, it appears that the present applicant has prepared false receipt by using magic pen. The words written by the magic pen automatically disappears after certain period. The present applicant is absconded since the date of offence. The Investigating officer wants to recover certain documents in connection with the present crime from the possession of the present applicant. His custody is needed for the purpose of taking specimen handwriting and signature.

6. In view of specific allegations against the applicant, I do not think that he is entitled for anticipatory bail. Hence the application is rejected.

(K. L. WADANE, J.)

JPC