

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1200 OF 2017

Nilkanth Dattatray Giri

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.S.B.Deshmukh, Advocate, for the Applicant

Mrs.R.Ambekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 21.07.2017

P.C.

. Heard learned counsel for the parties.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 347 of 2017 registered with the Indapur Police Station, Pune Rural, for the alleged offences punishable under Sections 379, 504, 506 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicant states that the applicant is working as a Gramsevak and had gone for his training (Gramsevak) to Manjari Farm, Taluka – Haveli, District – Pune. He submitted that the applicant has been falsely involved in the said case, because of a civil

dispute, which is pending between the complainant and the applicant's family members, with respect to a property being Gat No.38/1 at Village Bedshinge. He submits that it is alleged by the complainant, that the applicant stole crops of sweet corn from the complainant's property being Gat No.38/1. He submits that the said allegations are false and baseless.

4. Learned APP opposes the Application.

5. Perused the papers. It appears that there are some disputes between the Complainant and the Applicant's family members, with respect to a property, being Gat No.38/1 at village Bedshinge. The allegation is, that the Applicant stole crops of sweet corn from the Complainant's property, being Gat No.38/1, which is the subject matter of dispute, between the parties. Be that as it may, in the facts, custodial interrogation of the Applicant is not required. Accordingly, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions :-

ORDER

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.10,000/-** with one or two sureties

in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station on the **1st Saturday of every month** between **10.00 a.m. and 11.00 a.m.** till the filing of the charge-sheet or for a period of three months whichever is earlier.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)