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

ANTICIPATORY BAIL APPLICATION NO.1218 OF 2017

Ketan Mohan Yadav	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.V.R.Gaikwad, for the Applicant

Ms.S. S. Kaushik, A.P.P for the Respondent-State

***CORAM : REVATI MOHITE DERE, J.
DATE : 19th JULY, 2017***

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 50 of 2017 registered with the Aundh Police Station, Khatav, Satara, for the alleged offences punishable under Sections 379 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant states that the applicant has been falsely implicated in the said case. He submits that the present case

has been lodged as a counter-blast to the case registered against the son of the present complainant by one of the applicant's relatives i.e. C.R. No. 350 of 2016 registered with the Vaduj Police Station, for the alleged offences punishable under Sections 452, 376(1), 384 and 506 of the Indian Penal Code. The incident alleged is of 16th December, 2016. According to the complainant, one of his buffaloes could not be found and during search, it was revealed that Pradeep Mane had sold the said buffalo in the market. On inquiry with Pradeep Mane-the person who sold the buffalo, he learnt that Ketan Mohan Yadav i.e. the present applicant and Akshay Patil had sold the said buffalo in the Karad market, pursuant to which, the aforesaid offence was lodged.

4. Learned APP opposed the application.

5. Perused the papers. It appears that a case was filed by one of the applicant's relative as against the complainant's son being C.R. No. 350 of 2016 registered with the Vaduj Police Station, Satara, for the alleged offences punishable under Sections 452, 376(1), 384 and 506 of the Indian Penal Code. The present incident is of 16th December, 2016.

According to the complainant, one of his buffaloes could not be found and that it was revealed to him that Pradeep Mane had sold the said buffalo in the market. On inquiry with Pradeep Mane, the complainant learnt that the present applicant and Akshay Patil had sold the said buffalo in the Karad market, pursuant to which, the aforesaid offence was lodged. In the background of a cross case lodged by one of the applicant's relative as against the complainant's son, the possibility of the aforesaid case being filed as a counter-blast cannot be ruled out.

6. Be that as it may, without going into the genuineness of the complaint, in the facts of this case, custodial interrogation of the applicant is not required. The application is accordingly allowed and the applicant is granted pre-arrest bail on the following terms and conditions :-

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. 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 as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier.

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

8. It is made clear that the observations made herein are *prima facie* and are confined to this application.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)