

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1518 OF 2017**

1. Rajkumar Bhimrao Gund-Patil	)	
2. Pandurang Agatrao Gaikwad	)..Applicants	
Versus		
The State of Maharashtra	...	Respondent

Mr. Aniket Nikam i/b. Mr. Aashish Satpute, for the applicants.
Ms. S.S.Kaushik, APP, for the State.
Mr.Godse, Karkamb Police Station, (Gramin), Solapur, present.

**CORAM : SMT. SADHANA S.JADHAV, J.
DATE : 14th December, 2017.**

P.C. :

1. Heard. This is an application under Section 438 of Cr.P.C.
The applicants herein are apprehending arrest in Crime No.142 of 2017 registered at Taluka Police Station Pandharpur on 27.6.2017 for the offences punishable under Sections 379, 353, 332, 506 read with Section 34 of the Indian Penal Code.
2. It is alleged that the applicant was indulging in illegal excavation of sand from Bhima River on 27.6.2017. The applicant No.2 has specifically stated that at the relevant time, he was not present at the

scene of offence, but was elsewhere.

3. This Court, on the previous occasion, had directed the investigating agency to verify the statement made by applicant No.2. The learned APP, on instructions, submits that it is revealed in the course of enquiry that the present applicant No.2 was not present at the scene of offence. In view of this, the interim relief granted vide order dated 9.11.2017 deserves to be confirmed on the same terms and conditions. The applicants shall co-operate with the investigating agency and report to the investigating officer as and when called.

4. Application stands disposed of.

(SMT. SADHANA S.JADHAV, J.)