

Dond

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

BAIL APPLICATION NO. 2536 OF 2017

Deepak Krishna Desai

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Anand Patil for Applicant.

Mr. Rajan Salvi, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 21st NOVEMBER 2017

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 103 of 2017 dated 16.09.2017 registered with Ajara Police Station, District- Kolhapur under Sections 2(11)(16), 9, 44, 51 of the Wild Life Protection Act, 1972.

2] It is the prosecution case that, the police received a confidential information that two persons are coming at a particular spot with snake venom to deliver it to a third person. Accordingly, police laid a trap and accosted two persons namely Tanaji L. Kamble and Anil S. Kamble and after

completing the necessary legal formalities, seized the bottle of alleged snake venom having about 600 ml quantity. The police have arrested the said two accused persons namely Tanaji Kamble and Anil Kamble. During the course of investigation, the said accused persons revealed the name of the present applicant being a proposed buyer. It is alleged that the applicant was intending to purchase the said snake venom through the mediation of co-accused Ramchandra Keru Patil of Chandangad. The applicant came to be arrested on 17.9.2017 and since then he is in jail.

3] The record indicates that, till date the Investigating Agency has not received a report from the Forensic Science Laboratory pertaining to alleged snake venom. May that as it may, it is the allegation against the applicant that he through the mediation of Ramchandra Patil was intending to purchase the said snake venom from Tanaji Kamble and Anil Kamble.

4] As far as the present applicant is concerned, it is an allegation to attempt to commit offence that he was intending to purchase the said snake venom. The applicant is in jail since 17.9.2017 and the investigation of the crime is practically on the verge of completion. In view thereof, this Court is of the view that the applicant can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in CR No. 103 of 2017 registered with Ajara Police Station, District- Kolhapur on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the concerned Police Station as when called for between 10.00 a.m to 2.00 p.m and to join the process of investigation till submission of chargesheet.

(iii) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)