

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR.****CRIMINAL APPLICATION(ABA) 640 OF 2017**

(Santosh Bhikamchand Panpaliya ..vs...State of Maharashtra, through
PSO.PS.Chandur Railway,District-Amravati.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri M.N.Ali, Advocate for applicant.

Shri Indranil Damle, A.P.P. for State-non-applicant.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 18, 2017

This is an application for pre-arrest bail.

2] Heard learned counsel for applicant and
learned A.P.P. for State.

3] The applicant is apprehending his arrested in
connection with Crime No.255/2017, registered with
P.S.Chandur Railway,District-Amravati, for the offence
punishable under Sections 419,420,468,471 and 379
r/w Section 34 of the Indian penal Code.

4] It is not in dispute that when the truck was
intercepted , applicant was not in the truck nor the truck
driver has taken name of the present applicant.
Admittedly, the applicant is having rights to excavate
sand from Sorta sand ghat. The fake royalty pass in
respect of Tamba Ghat in respect of which the present
applicant is not having any concern.

5] The culprit has fabricated a document and incidentally that particular invoice number pertains to the Sorta Sand ghat of the present applicant. That is not sufficient to reach to the conclusion that the applicant is involved in the theft of sand in absence of any other cogent evidence.

6] This Court passed an interim order on 11/9/2017 and granted ad-interim bail in favour of the applicant on a condition that applicant shall attend P.S.Chandur Railway,District-Amravati on 13/9/2017 and 14/9/2017 and shall be with the investigating officer. The learned counsel for the applicant submits that the applicant has followed the directions given to him and attended police station and in fact said aspect is also not disputed by the learned A.P.P. In that view of the mater I am of the view that the applicant is entitled for release as prayed for. Hence, the order.

ORDER

The order dated 11/9/2017 stands confirmed.

JUDGE