

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.759 OF 2016
(Aman s/o Moreshwar Pande vs. The State of Maharashtra)

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

Shri N. Rizwy, Advocate for applicant.

Shri S.A. Ashirgade, Additional Public Prosecutor for
respondent.

CORAM : P.N. DESHMUKH, J.

DATED : JANUARY 06, 2017

Heard learned Counsel for both sides.

This is an application for grant of
anticipatory bail in Crime No. 30/2016 registered under
Sections 394, 307, 397 and 120-B read with Section 34
of Indian Penal Code.

The record reveals that as per interim
protection granted and directions issued to applicant, he
has attended investigating Officer. The learned
Additional Public Prosecutor has, however, contended
that applicant has not cooperated with investigation as
he has not given any information about motor cycle,
which is alleged to be used in the present crime.

It appears to be the case of prosecution that
in the night of 22/4/2016, complainant and his
employer were proceeding on one motor cycle towards
Parsheoni and after they crossed bridge over pench river,
they were intercepted by two persons, who were sitting
on their stationary bike and committed theft of amount

of Rs.53,000/- which was carried by Uttam, complainant's employer.

Shri Ashirgade, learned Additional Public Prosecutor on obtaining instructions, has submitted that bike used by two persons, who intercepted complainant, was not of applicant. It is, however, submitted that applicant's involvement is only on the strength of statement of co-accused. Admittedly, name of applicant is not mentioned in the first information report.

Considering involvement of applicant as aforesaid, interim protection granted to applicant on 24/11/2016 stands confirmed with further direction to applicant to attend Police Station, Parsheoni once in six months pending trial. The criminal application is accordingly allowed.

JUDGE

khj