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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 317 OF 2018

Amar @ Govind Bharat Bhosale ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Mahindra B. Deshmukh, for the Applicant.
Mr. N. B. Patil, APP for the Respondent – State.
Mr. Ganpat B. Gawde, H.C. Aatpadi Police Stn., Sangli – Present.

CORAM : P. N. DESHMUKH, J.

DATE : MARCH 1, 2018

PC :-

1. Heard learned counsel for Applicant and learned Additional Public Prosecutor and perused the case diary. Applicant is apprehending his arrest in C. R. No. 176 of 2017 registered with Atpadi Police Station, for the offence punishable under Section 379 of the Indian Penal Code, on the ground that on the date of incident, during patrolling, Talathi attached to the office of Tahsildar Atpadi, district Sangli found Applicant carrying sand in a trolley attached to a tractor and in spite of complainant directing him to take the tractor to

the office of Tahsildar Atpadi, he ran away and thus, a report came to be lodged.

2. Learned counsel for Applicant has submitted that Applicant was neither present in the vehicle nor he has committed theft in respect of sand which is alleged to be carried in the tractor trolley. Learned APP points out from the case diary the statements of other two government officers who were accompanying complainant and according to their statements, Applicant was in the tractor. Except the said statements of officials who had accompanied the complainant, there is no other statement to establish involvement of Applicant.

3. It reveals from the documents on record that during pendency of the application before the Additional Sessions Judge, Applicant was protected from 7th September, 2017 till his bail application came to be rejected on 29th January, 2018. It is further material to note that interim protection granted was further extended till 12th February, 2018 from time to time. In that view of the matter, application is liable to be allowed by imposing suitable conditions on the Applicant to facilitate investigation as per order below:

- (i) In the event of arrest of Applicant in C. R. No. 176/2017

registered with Atpadi police station, he be released on bail on his executing P. R. bond in the sum of Rs. 25,000/- with one surety in the like amount;

- (ii) Applicant shall attend Investigating Officer on 3rd and 4th March, 2018 between 11.00 a. m. to 1.00 p. m. and thereafter as when called by I. O. till filing of charge-sheet;
- (iii) Criminal application is disposed of in the aforesaid terms.

Sd/-
[P. N. DESHMUKH, J.]

Vinayak Halemath