

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

ANTICIPATORY BAIL APPLICATION NO. 722 OF 2018

Gaurav Popat Holkar

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Veerdhaval Kakade for the Applicant.

Ms. Pallavi Dabholkar, APP for the State.

Mr. G.V.Sankpal, PSI Vadgaon Nimbalkar P. Stn. Present.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : OCTOBER 06, 2018.

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid applicant apprehending his arrest in C.R.No. 34 of 2017 registered with Wadgaon Nimbalkar Police Station for offences under Section 39 of Maharashtra Money Lending Regulations Act, 2014.

2. Heard Mr. Kakade, the learned Counsel for the applicant and Ms. Dabholkar, the learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the respective parties .

3. The record prima facie reveals that the applicant was not named in the first information report. The only material which is sought to be relied against the applicant is recovery of a Hero Honda Splender motorcycle having chasis no. MBMLHA10BVF9C00794 from outside the house of the present applicant. The learned Counsel for the applicant submits that the said motorcycle does not belong to him and that was not recovered at the instance of the applicant.

4. The learned APP also submits that pursuant to the interim bail granted by this Court, the applicant has attended the police station and has been interrogated. She submits that the investigation is almost concluded and that the chargesheet will be filed immediately.

5. Considering the above facts and circumstances, in my considered view, presence of the applicant is not required for custodial interrogation. The applicant is a permanent resident of Baramati, Pune and there are no chances of his absconding or thwarting the course of justice. The applicant has no criminal antecedents. Considering the above facts and circumstances, the application is allowed on the following terms and conditions:-

- (i) In the event of arrest of the applicant in Crime No.34 of 2017 registered with Wadgaon Nimbalkar Police Station, the applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.
- (ii) The applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.
- (iii) The applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (iv) The applicant shall not tamper with the evidence or interfere with the complainant and the other witnesses in any manner.

**Prasanna
Pradeep
Salgaonkar**

Digitally signed by
Prasanna Pradeep
Salgaonkar
Date: 2018.10.09
15:05:43 +0530

(ANUJA PRABHUDESSAI, J.)