

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 918 OF 2018

Chetan Shantaram Kotkar. ..Applicant.

V/s.

The State of Maharashtra. ..Respondent.

Mr. Aniket U. Nikam, advocate for applicant.

Mr. Prashant Jadhav, APP for State.

Mr. Tanvir Shaikh, ASI, Alankar Police Station, Pune.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JULY 13, 2018.

P. C. :

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 The applicant herein is apprehending his arrest in Crime No. 111 of 2017 registered at Alankar Police Station for offence punishable under section 380 of the Indian Penal Code. The applicant was protected by an order dated 3rd May, 2018.

3 It is the case of the prosecution that on 8/7/2017 Santosh Bhaykar lodged a report at the police station alleging therein that on 8/7/2017 one person had approached his medical store with a

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prescription, which did not bear the name of the doctor or the patient. The prescribed medicine is scheduled drug. The applicant runs a pharmacy shop in the close vicinity of the complainant who suspected that the applicant had sent decoy customer in order to falsely implicate him and hence, he had lodged the FIR. In view of the nature of allegations and the papers of investigation, the order dated 3rd May, 2018 deserves to be confirmed on same terms and conditions.

4 The observations are restricted to the application under section 438 of the Code of Criminal Procedure, 1973 and the same shall not be considered for discharge application, quashing of FIR or at the time of trial.

5 Hence, following order is passed :

ORDER

(i) The application is allowed.

(ii) In the event of arrest in Crime No. 111 of 2017 registered at Alankar Police Station, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(iii) The applicant shall not tamper with the evidence.

(iv) The applicant shall report to the concerned police station as

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and when called by the Investigating Officer and cooperate with the investigating agency to the best of his capacity.

6 The application is disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]