

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1122 OF 2017
Raghunath C. Shinde vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. P.D.Patil for the Applicant.

Mr. S.S.Hulke, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 5th January, 2018

P.C.

1. By a reasoned Order dated 1.7.2017 the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates.

2. The first information report is lodged by Mr. Vilas Gavai, Circle Officer working in Tahsildar Office, Kurla. It is the prosecution case in nut shell that, the applicant made illegal storage of minerals i.e. sand and stones of various size in the premises of Ganesh Seva Mandal. That, the applicant was the Chairman of the said Mandal. It is contended that the said stones and minerals were stored by the applicant for renovation and construction of Ganesh Mandir in the said vicinity. It is further alleged that despite giving an indemnity bond, the applicant utilized the said material thereby committing the act under Section 406 of the Indian penal Code. The record indicates that the said illegal storage of sand and minerals was done by the applicant for the purpose of renovation of the construction of the said Ganesh Mandir and not for his personal

use. In view thereof, the applicant deserves to be protected by pre-arrest bail.

3. The interim relief granted by Order dated 1.7.2017 is confirmed. However, the condition to attend the concerned police station is hereby waived.

4. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)