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

ANTICIPATORY BAIL APPLICATION NO.1853 OF 2017

Ramdas Atmaram Bhagat

....Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Maveen B. Khaire with H.G.Patil for Applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 4th JANUARY 2018.

P.C.:

1] By a reasoned Order dated 18.10.2017 the applicant was granted interim relief with a direction to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record of investigation.

3] It is the allegation against the applicant that, the applicant alongwith other accused committed theft of sand excavated from Mumbra creek and stored it in his premises. At the time of police conducting the

raid, the police found presence of the applicant at the spot, however, the applicant alongwith other accused fled away from the scene of offence by taking advantage of darkness. The police thereafter destroyed the said stolen property i.e. sand excavated from Mumbra creek. The record reveals that the applicant has attended the Investigating Officer on the stipulated dates and has cooperated in the process of investigation. After perusing the record, this Court is of the view that for further investigation of the present crime, the custodial interrogation of the applicant is not necessary.

4] In view thereof, the interim relief granted by an Order dated 18th October 2017 is confirmed. However, the applicant is directed to attend the Investigating Officer as and when called for between 3.00 p.m to 5.00 p.m and to join the process of investigation till submission of chargesheet/final report.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)