

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2166 OF 2018

Dhiraj Rajendra Janrao & anr.

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. P. G. Sarda, for the Applicant.

Smt. Rutuja Ambekar, APP for the State/Respondent.

CORAM: A. S. GADKARI, J

DATED: 12th December, 2018

PC:-

1. By a reasoned Order dated 19th October, 2018, the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates, to join the process of investigation.

Heard the learned Counsel for the applicant and the learned APP. Perused the record,

2. The record indicates that the applicant has, in fact, attended the investigating officer and had produced documents showing his ownership over the movable property i.e. Tar/bitumen in question. It appears that, the investigating agency has not yet verified the said fact and without verification of the same, custody of the applicant is being sought to extract

a confession from him about his guilt. After perusing the record this Court is of the view that, the custodial interrogation of the applicant for further investigation of the crime is not necessary.

3. In view thereof the applicant can be protected by pre-arrest bail.

Interim relief granted by Order dated 19th October, 2018 is hereby confirmed. However, the condition to attend the Investigating Officer of concerned police station is waived.

4. Application is allowed in aforesaid terms.

[A. S. GADKARI, J.]