

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.2245 OF 2017

Amjad Khan Chunnukhan Pathan	..Applicant
vs.	
The State of Maharashtra	...Respondent

Ms.Priyanka Thakur i/b Mr. Hasan Patel for Applicant .
Mr. S.R. Agarkar, APP for Respondent.
Mr. C. B. Barod, PSI, Baramati Taluka Police Station.

**CORAM : P. N. DESHMUKH, J.
DATE : 18th APRIL, 2018**

P.C.:

. Heard Ms.Thakur, learned counsel for applicant and Mr.Agarkar, learned APP for Respondent-State. Perused case diary. This application is for grant of anticipatory bail by accused involved in CR No.557/2017 registered with Baramati Taluka Police Station for offence punishable under sections 407 read with 34 of IPC.

2. Learned counsel for applicant submitted that applicant is no way concerned with the crime. He is proprietor of Marathwada Lorry Suppliers, Latur. However, in the present crime his involvement is only to the extent of arranging for two trucks for transporting 500 Qts. sugar to M/s. J. P. Goyal and Sons, Raipur(Chhatisgad). However, since neither of the trucks reached Chattisgad, applicant lodged report with Latur Police Station informing about non receipt of sugar by party nor the truck with sugar reached there. Hence, applicant apprehends arrest in the present crime as according to complainant, who is doing business in Sugar at Akola on 16/10/2017 on receiving order from M/s. J.P. Goel, Raipur (Chhatisgad) for sugar had asked applicant to arrange for two trucks for

transporting sugar. According to the case of prosecution, thus involvement of applicant is of arranging two trucks for transporting 500 Qts. of sugar from Malegaon Co-operative Sugar Factory Limited, Baramat to M/s. J. P. Goel & Sons, Raipur (Chattisgad).

3. In fact as trucks did not reach its destination applicant had lodged report with Latur Police station and according to the say of prosecution inquiry initiated on the report of applicant is closed due to lodging of FIR with Baramati Taluka Police Station by complainant Sumit Khandelwal.

4. In view of facts as aforesaid and since neither the trucks are located with its contents nor it's drivers are yet found, custodial interrogation of applicant who had arranged for trucks by itself is not found necessary as complainant must have informed applicant for arranging two trucks since applicant is proprietor of lorry supplier and must also be known to complainant since he is also doing business at Akola.

5. In the circumstances, following order is passed:

ORDER

- i) In the event of arrest applicant shall be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount;
- ii) While on bail applicant shall attend Investigating Officer IF called till filing of charge-sheet;
- iii) Application is disposed of as allowed.

(P.N. DESHMUKH, J)