

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2474 OF 2019

Yuvraj Madhavrao Patil ..Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Milind Deshmukh, Advocate for the Applicant.

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

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CORAM : PRAKASH D. NAIK, J.

DATE : 15th November, 2019

PC :

1. This is an application for Anticipatory Bail in Connection with C.R. No. 218 of 2019 registered with Vaduj Police Station, District Satara, for offence punishable under Section 379, r/w 34 of Indian Penal Code (for short "IPC").

2. The applicant had preferred an application for anticipatory Bail before the Sessions Court which has been rejected by order dated 24th October, 2019.

3. The case of the prosecution is that raid was conducted on secret information that sand has been excavated at Yerla river bed. The informant and other proceeded to the spot. The applicant was found present with the co-accused. Two JCB machines and three

tractors with trolley were found at the place of incident. The applicant ran away.

4. Learned counsel for the applicant submitted that the applicant has been falsely implicated in this case. He was not present at the place of incident. His JCB was taken for the purpose of use by another person stating that he would drive the same. The applicant is willing to cooperate with the investigation.

5. Learned APP submitted that there is evidence against the applicant showing his involvement in the crime. He was present at the place of incident. One of the JCB is owned by him. There are antecedents against the applicant.

6. The First Information Report (for short "FIR") clearly mentions that the applicant was present at the scene of the offence. The accused are indulging in excavation of sand unauthorizedly. He is owner of one of the JCB.

7. Considering the aforesaid circumstances, no case for grant of Anticipatory Bail is made out. Hence, application stands rejected and disposed of.

(PRAKASH D. NAIK, J.)