

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

ANTICIPATORY BAIL APPLICATION NO.1428 OF 2019

Mukesh Pandurang Gaikwad	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr.Tejas Deshmukh a/w Sagar M. Kursija, Advocate for Applicant.
- Ms.A.A. Takalkar, APP for the State/Respondent.
- API Mr.B.G. Jagtap, Saswad Police Station, Pune, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 04th JULY, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.204/19 registered with Saswad Police Station, Pune, under sections 353, 379 r/w 34 of the Indian Penal Code.
2. The FIR is lodged by one Balasaheb Sopanrao Dhamdhere, who was Kamgar Talathi. On prior information on 02/06/2019 at about 11.00 p.m. the first informant and other officers intercepted a truck and parked that truck in the police station. During the night he received further information that four other trucks were parked in the area and they were loaded with illegally excavated sand. On that secret information, the

raiding party went to the spot. Each of the truck was found to contain three brass of sand. One of the truck was bearing No.MH-13-AK-3576. The driver of the truck gave his name as Somnath Shankar Memane and he informed that the truck was owned by the present Applicant. The driver telephonically called the Applicant. The Applicant came on the spot. He sat in the truck. On the pretext of taking the truck to the police station it was taken away by him. On these allegations the FIR is lodged.

3. Considering allegations in the FIR, the connection of the Applicant with the offence is more than clear. His conduct of going away from the spot on a false pretext, also does not entitle him to any relief or any leniency from the Court. His custodial interrogation is absolutely necessary. The application is rejected.

(SARANG V. KOTWAL, J.)