

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 1368 OF 2018****SUDHIR PIRAJI @ PARAJI SALVE****.....APPLICANT****Vs.****THE STATE OF MAHARASHTRA****.....RESPONDENT**

Mr. V.V. Purwant for the Applicant.

Mr. Ajay Patil APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.**DATE : 4th APRIL, 2019.****P.C.:-**

Heard the learned counsel for the Applicant and the learned APP. Perused the record.

2 The record indicates that, the Investigating Officer is consistently remaining absent as she has no answer to the questions posed by this Court, as to under which provision of law, the statement of Mr. Dipak Mhatre (Co-accused) is recorded after his release on bail on 16th September, 2016. The said bail was granted by the Trial Court after filing of charge-sheet.

3 The role of the Applicant has emerged on record from the statement of Co-accused Mr. Dipak Mhatre recorded by the

Investigating Officer, after filing of charge-sheet and after he has been released on bail by the Trial Court.

4 *Prima facie*, it appears that, there is no material available on record against the Applicant to connect him with present crime, for which the prosecution can seek his custody for interrogation.

In view of the above, Order dated 12th July, 2018 is hereby confirmed.

Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)