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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1478 OF 2019

Bapusaheb Machindra Jadhav

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr V. V. Tarde, Advocate for applicant;
Mr K. S. Patil, A.P.P. for respondent

CORAM : RAVINDRA V. GHUGE, J

DATE : 14th December, 2020

PER COURT:

1. I have heard the learned Advocate for the applicant and the learned Prosecutor on behalf of the State. With their assistance, I have gone through the record available.

2. The applicant has read out the statement recorded by the complainant which is the FIR dated 07-11-2017. He has also taken me through the additional statement dated 23-02-2018 when his name was introduced in the offence for the first time. The applicant has taken the defence of not being present at the scene of the crime when it was committed.

(2)

3. The learned Prosecutor has vehemently opposed this application contenting that cotton being transported through a truck was looted. Total cotton was priced at Rs.86,440/- going by the fact that the said stolen cotton was sold to another person for the said price.

4. Vide order dated 18-12-2019, this Court (Coram : R.G. Avachat, J) has passed the following order :

“ Heard. Perused First Information Report and related police papers.

2. Name of the applicant appears to have been disclosed by co-accused. There appears to be no material to connect the applicant with offence in question.

3. In view of aforesaid fact, till next date, ad-interim anticipatory bail is granted to the applicant with the following order :-

ORDER

(I) In the event of arrest of the applicant, in connection with Crime No. 506 of 2019 registered with Newasa Police Station, Dist. Ahmednagar for the offences punishable under Sections 395, 341, 342, 427 and 201 read with Section 34 of the Indian Penal Code, the applicant be released on executing P.R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.

(II) The applicant shall appear before the investigating officer, as and when required for the investigating purpose.

(3)

(III) The applicant shall not tamper with the prosecution evidence.

(IV) Stand over to 07th January, 2020.

5. It is not the case of the prosecution that the applicant is not co-operating in the investigation of the crime, though the learned Advocate for the applicant submits that the applicant has been arrested in another offence punishable under Section 395 of the Indian Penal Code.

6. Considering the above, this application is allowed. In addition to the conditions imposed by this Court, vide order dated 18-12-2019, I hereby order as under :

ORDER

- (a) The applicant shall mark his attendance with the Newasa Police Station, Dist. Ahmednagar, on every Tuesday and Friday, between 10.00 a.m. and 1.00 p.m.
- (b) His attendance shall be recorded by the SHO by obtaining his signature in the Station House Diary.
- (c) Failure in marking attendance on two consecutive dates would be a good ground for the cancellation of the bail being granted.

(4)

- (d) The applicant shall produce a self attested copy of his Aadhar Card and Election Commission Voter I.D. Card with the said Police Station on 18-12-2020.

7. This order is restricted to this case concerning Crime No. I-506/2017 registered on 07/11/2017.

(RAVINDRA V. GHUGE, J.)

sjk