

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.166 OF 2020

Mr.Ashwinikumar Devere /by Aaditya A. Gore for applicant.
Mr.H.J.Dedhia, APP for State.

DATE : 31st January 2020

PC :

1. This is an application for anticipatory bail in CR No.272 of 2019 registered with Otur Police Station, Junnar, for offence under Section 379 of Indian Penal Code.
2. The complaint was lodged on 14th November 2019 by one Omkar Mande alleging that the bullock belonging to him was missing on 31st October 2019. He thought that some person must have committed theft of the bullock.
3. During the course of investigation the involvement of two juveniles was disclosed. One of them was arrested and during his interrogation he had revealed involvement of the applicant as the person to whom the bullock was sold.
4. The applicant preferred application for anticipatory bail before the Sessions Court, which was rejected. Learned counsel for applicant submitted that the applicant has been falsely implicated in

this case. There is no evidence to show his complicity in the crime. The prosecution is relying on the statement of co-accused which is not admissible in evidence. On account of previous implication the applicant is being involved in this crime. The applicant is willing to co-operate with the investigation by attending the investigating officer.

5. Learned APP submitted that the applicant was involved in other other cases registered with Junnar Police Station being CR No.250 of 2019 and CR No.272 of 2019 registered for offence of theft of bullocks. During the investigation the involvement of applicant in present case was revealed. The juvenile who is accused in the present case was also involved in the previous case. It is also submitted that the applicant has given different name in the previous proceedings.

6. I have perused the FIR. The grievance of the complainant was that the bullock was missing and hence he lodged the complaint. Investigation is in progress. The applicant was involved in similar cases registered with Junnar Police Station. During interrogation of the accused involvement of the applicant was disclosed. The bullock was sold to the applicant. So prima facie involvement of the applicant is disclosed. Hence, custodial interrogation of the applicant is necessary. No case for grant of anticipatory bail is made out. Accordingly, ABA No.166 of 2020 is rejected.

(PRAKASH D. NAIK, J.)

MST