

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (ABA) NO. 371 OF 2020

(Satish s/o Gulabrao Virghat ..vs.. The State of Maharashtra, through PSO, PS Jalamb)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D.I. Jain, Counsel for the applicant,
Mr. Bhagwan M. Lonare, Addl.PP for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 21-10-2020

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard.

3. This Court granted interim protection vide order dated 21-09-2020 recording thus :

“4. The allegation is that three cattle were stolen.

5. A statement is made in the application that the applicant has no criminal antecedents. The brother of the applicant is already arrested and two cattle are allegedly recovered.

6. The bail was opposed in the Sessions Court inter alia on the ground that one cattle is yet to be recovered.

7. Considering that the applicant has no criminal antecedents, and the submission is that the applicant is falsely implicated due to political

rivalry, till the State files its reply, the applicant can be protected.

8. In the event of arrest in Crime 172/2020 registered with Police Station Jalamb, Tq. Shegaon, Dist. Buldhana, for offence punishable under section 379 read with section 34 of the Indian Penal Code, the applicant shall be released on furnishing P.R. Bond of ₹ 25,000/- with a surety of like amount. Considering the prevailing situation, the surety may be furnished within four weeks of the arrest.

9. The applicant shall attend the said Police Station every Wednesday, Thursday and Friday from 10.00 am to 4.00 p.m. and shall cooperate with the Investigating Officer.

10. The period during which the applicant attends the Police Station shall be treated as deemed custody for the purpose of section 27 of the Indian Evidence Act.

4. It is not the case of the prosecution that the applicant has not attended the police station.

5. I have perused the material in the case diary. I am satisfied that if the applicant is granted pre-arrest bail, the investigation shall not be hampered.

6. The co-accused, who is the brother of the applicant, was arrested and released on bail on the same day. Two cattle are already recovered. The applicant does not have criminal antecedents.

7. The interim protection granted vide order dated 21-09-2020 is made absolute on the same terms and conditions except that the applicant shall attend the police station as and when required by the Investigating Officer.

JUDGE

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by Prafulla
Adgokar
Date:
2020.10.21
18:06:02 +0530

Prafulla
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