

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (ABA) of 2020 (LD-VC No. 457 of 2020)

[Shrikant Vasant Wasekar Vs. State of Maharashtra through P.S., Gadchiroli, Gadchiroli]

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M. N. Ali, Advocate for the applicant
Shri V. P. Maldhure, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATE : 17/07/2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard learned Advocate Shri Ali for the applicant and Shri Maldhure, learned Additional Public Prosecutor for the non-applicant/State.

3. Offences punishable under Sections 143, 147, 149, 201, 353, 379 and 504 of Indian Penal Code are registered against the applicant and other accused. The main allegation against the accused is that there was theft of sand. The tractor was intercepted. Driver of tractor was arrested and he disclosed the name of the applicant as owner of tractor. The driver of tractor is already released by the Sessions Court on anticipatory bail. This Court has granted ad-interim anticipatory bail to the applicant on 25-6-2020.

4. Learned Additional Public Prosecutor has submitted that custody of the applicant is required for interrogation. Theft of article as alleged i.e. sand was already unloaded by the driver of tractor. The applicant was not present or driving the tractor himself. Driver might have been taken the tractor against the wish of the applicant. For the act of driver, the applicant cannot be held liable. Hence, ad-interim anticipatory bail granted by this Court on 25-6-2020 is hereby confirmed.

5. The application is disposed of.

6. This order be communicated to the Counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

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