

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

ANTICIPATORY BAIL APPLICATION NO. 382 OF 2020

Salim Mangu Khatik

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. Gajanan G. Kadam, Advocate for applicant
Mr. V.M. Kagne, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATED : 17th MARCH, 2021**

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 114 of 2019 registered with Maujpuri Police Station, Dist. Jalna for the offences punishable under Sections 394, 365, 341 and 395 of the Indian Penal Code.

2. Heard learned counsel for the applicant and learned A.G.P.

3. This Court, vide order dated 12th December, 2019, had granted the applicant anticipatory bail for a period of four months with the observations that the investigating officer to collect the relevant call data record (CDR).

4. Learned A.P.P. informs that the CDR could not be collected since it is not preserved for more than one year.

5. As such, the case for grant of anticipatory bail has been made out. Hence the following order :-

ORDER

(I) Application is allowed.

(II) In the event of arrest of the applicant, in connection with Crime No. 114 of 2019 registered with Maujpuri Police Station, Dist. Jalna for the offences punishable under Sections 394, 365, 341 and 395 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.

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

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

(R.G. AVACHAT, J.)

SSD