

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 822 OF 2021

Shaikh Shafi Bagwan @ Builder
S/o. Shaikh Moin Bagwan,
Age : 36 Years, Occ. Labour,
R/o. Umar Colony, Near Umar Masjid,
Degloor Naka, Nanded.

..Applicant

Versus

The State of Maharashtra,
Through Police Station Bhagyanagar,
Nanded.

.. Respondent

...
Advocate for the Applicant : Mr. S.R. Bagal h/f
Mr. B. N. Gadegaonkar
A.P.P for Respondent- State : Mr. V. S. Badak
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CORAM : SANDEEP K. SHINDE, J.

DATE : 04.08.2021

PER COURT :-

Applicant seeks pre-arrest bail in connection with Crime No.152 of 2014 (culminated into Regular Criminal Case No. 664 of 2018) for the offences punishable under Section 454 (lurking house trespass or house breaking), 380 read with Section 34 of the Indian Penal Code ('IPC' for short)

2. The alleged incident of house tress pass to commit theft

dates back to November, 2014. Complainant Shrinivas Linganwad reported that on 14th October, 2014, his house was broke opened and jewelry worth Rs. 1,50,000/- was stolen by the unknown person. Prosecution has recovered the theft property from the accused No.2, and the charge sheet has been filed against him. The only material against the applicant is the disclosure statement made by the co-accused. Except this, there is nothing on record or even charge sheet to connect the applicant to the subject crime. Additionally, there are no criminal antecedents against the applicant.

3. In consideration of facts of the case and for the reasons stated, pre-arrest bail is granted to the applicant on the following conditions.

(i) In the event of arrest of the Applicant in connection with Crime No. 152/2014 registered with Bhagyanagar Police Station, Nanded applicant shall be released on bail on executing P.R. bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) with one or two sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer,

on 9th August, 2021, 12th August, 2021, 17th August, 2021, 21st August, 2021, 23rd August, 2021, 26th August, 2021 between 11:00 A.M. to 1:00 P.M. and thereafter as and when required and called by the Investigation Officer and co-operate in the investigation.

4. The application is allowed and disposed of in the above terms.

(SANDEEP K. SHINDE)
JUDGE

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