

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2710 OF 2019

Suraj Gajanan Salunkhe Applicant
Versus
The State of Maharashtra Respondent

Mr. Makarand M. Kale, Advocate for the Applicant.
Smt. J.S. Lohokare, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.
DATE : 18th SEPTEMBER, 2021

P.C. :

1. The applicant is seeking anticipatory bail in connection with C.R.No.469/2019 registered at Tasgaon Police Station, District-Sangli on 1.9.2019 under sections 353, 379, 511 read with 34 of the Indian Penal Code.

2. Heard Shri Makarand Kale, learned counsel for the applicant and Smt. J.S. Lohokare, learned APP for the State.

3. The FIR was lodged by the Watchman attached to Tahasil office at Tasgaon. He has mentioned that on 29.3.2019 at about 7:00 a.m. a truck transporting sand illegally was intercepted. It was brought to the office of the

Tahsildar and was parked there. On 16.8.2019, one more truck was intercepted similarly and it was also parked in the same office. On 31.8.2019 both the trucks were there in the office. On 1.9.2019 at around 4:45 a.m., one of the trucks bearing No.MH 45-1746 was started by the truck owner Ashish Kumar and two others. The informant went in front of the truck and stopped it. Ashish Kumar and two others jumped from the truck and ran away. Similarly other truck bearing No.MH-50-2671 was taken away illegally by the driver Prashant Shinde. The prosecution case against the applicant is that at the same time one Bolero car came there. Accused Pandurang, Pankaj, Pratik, Keshav and the present applicant were in that car. It is alleged that these accused helped Prashant Shinde in taking away the truck. On these allegations, the FIR is lodged.

4. The applicant was granted interim protection by this Court (Coram:Prakash D. Naik, J.) vide order dated 11.12.2019. He was directed to attend the office of the investigating officer.

5. Learned counsel for the applicant submitted that the applicant has not committed any offence and there is no specific role attributed to him.

6. Learned APP, on instructions, stated that the applicant has cooperated with the investigation. The charge-sheet is already filed and the investigating agency does not want custody of the present applicant. In this view of the matter, interim protection granted to the applicant in December, 2019 can be made absolute. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.469/2019 registered with Tasgaon Police Station, District-Sangli, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)