

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1176 OF 2021**

Arun @ Anna Kalyan Devkar .. Applicant

Vs.

The State of Maharashtra .. Respondent

...

Mr. Yogesh Birajdar i/b Mr. Bhalchandra Shinde for the Applicant.

Mr. A.R. Kapadnis, A.P.P. for the State.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 29TH JULY, 2021.

P.C:-

1. On 27/05/2021, the Applicant came to be admitted to protection by way of interim order, by recording that the name of the Applicant does not find in the FIR nor he is the owner of the vehicle, which is involved in the commission of crime. While releasing him on bail, he was directed to report to the Police

Station on 2nd and 4th June, 2021 and, thereafter, as and when directed by the Investigating Officer, till filing of the charge-sheet.

2. Learned A.P.P. invites my attention to the statement of one Sharad Tobre, which was recorded on 07/04/2021, who has taken the name of the Applicant by stating that his master Anna Devkar purchase sand and pay an amount of Rs.3,000/- per brass and he continue to ply the vehicle being Tractor No.MH 13 BR 2184. Learned A.P.P. states that during the course of investigation, an agreement executed between Sharad Tobre and Abba Galande dated 09/03/2021 has been traced. The erstwhile owner of the vehicle till the agreement was executed was Abba Galande, but from 09/03/2021 Sharad Tobre became the owner. This witness has specifically concealed this aspect while recording the statement on 07/04/2021 and, it is on the basis of this statement of Sharad Tobre, the Applicant gets implicated in the present C.R.

3. The Applicant is already admitted to interim protection on 27/05/2021. The investigating Officer was granted liberty to seek his attendance as and when need arises. It was always open for the said Investigating Officer to exercise his right, complete the investigation and file charge-sheet. The interim order dated 27/05/2021 is confirmed subject to the Applicant rendering co-operation to the Investigating Officer and attending the

AJN

concerned police station as and when called for by the Investigating Officer.

4. The Application is disposed of.

[SMT. BHARATI DANGRE, J.]