

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.506 OF 2022

ASHOK S/O BAJIRAO BADE
VERSUS
THE STATE OF MAHARASHTRA

.....
Advocate for Applicant : Mr. G. B. Kadlag
APP for Respondent-State : Mr. A. M. Phule
.....

CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 29-04-2022

ORDER :

1. The applicant is apprehending his arrest in connection with Crime No.200 of 2022, registered at Sangamner City Police Station, District Ahmednagar, for the offence punishable under Section 454, 380 of the IPC.
2. Heard learned Advocate Mr. G. B. Kadlag for applicant and learned APP Mr. A. M. Phule for respondent-State. In order to cut short, it is stated that both of them have made submissions in support of their respective contentions.
3. Learned APP strongly opposes the applications for grant of any interim relief. He submits that the matters are coming for the first time and he is yet to receive the police papers, however, taking into

consideration the role attributed to the applicant in the First Information Report, interim protection need not be granted.

4. Perusal of the FIR would show that it has been lodged by one Anita Dinkar Kale. She has stated that she had given contract in respect of construction of her house to one Sachin Kashinath Rokade, however, he did not do the work properly, and therefore, it was given to one Yogesh Hase. When the accounts with Sachin Rokade were settled, at that time it was realised that more amount was given to him than expected, and therefore, he had given cheque for Rs.2,20,000/- to the informant. When that cheque was given for encashment, it was dishonoured. Present applicant was labour working with Sachin Rokade and he was doing the centering work. The applicant had kept centering material within the premises of the informant. The applicant and said Sachin Rokade had gone to the house of informant on 18-03-2022 and told that they would take the said material, however, the informant told that she will not give that material unless her amount is paid. While going, the present applicant and Sachin told that they would come along with money and would take their material. The informant further states that she went for work at about 10.00 a.m. on 19-03-2022. Her son and

daughter-in-law had gone to Shirdi Airport to leave the daughter of the informant who was supposed to go to Kolkata. Informant returned at about 07.00 p.m. and then realized that the gate was unlocked. The neighbourers told her that around 12.00 to 1.00 p.m. two pick up vehicles had come in which Sachin Rokade and present applicant had come. When the informant did not see the centering material, then she went inside and saw that the articles were scattered and the amount of Rs.1,50,000/- was missing. So also the gold ornaments were also missing. She states that articles worth Rs.4,22,500/- were stolen.

5. Though the informant appears to be not an eyewitnesses to the incident, yet she has given the chronology of the events showing that the applicant is involved in the crime. The neighbourers had seen the applicant. Now, there is question of recovery of the stolen articles, and therefore, definitely custodial interrogation of the applicant is necessary. Hence, the application therefore stands rejected.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.