

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

ANTICIPATORY BAIL APPLICATION NO.654 OF 2022

Chandrakant Sharad Chavan ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Vithal P Kadam, Advocate for the applicant.
Mr. V.S. Badakh, APP for the respondent-State.

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CORAM : S.G. MEHARE, J.

DATED : 22nd JUNE, 2022.

PER COURT:-

1. Leave granted to the learned counsel for the applicant to produce the documents.
2. Heard learned counsel for the applicant and the learned APP for the State.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the crime. He has no concern with the alleged incident. The complainant committed a mistake in identifying the applicant as an accused. On 24.10.2018, the applicant was on duty when the alleged incident happened. He has produced the certificate issued by the responsible forest officer in that regard. He was never absconding but incorrectly shown absconded. He has no concern with the offence. Hence, he may be released on bail.
4. Learned APP would submit that various efforts were

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made to arrest the applicant, but he did not found. He was absconding and never produced the document of his presence on his duty on the day of the incident. The documents of attendance produced by the learned counsel for the applicant are now shown to him. Thereon, he says that it is to be verified. The application may kindly be dismissed.

5. The FIR reveals that the incident happened on 24.10.2018 at about 01.00 pm near Waranga Phata. The serious allegations of snatching Rs.1,50,000/- have been made in the FIR. However, the authenticated documents of attendance placed on record by the learned counsel for the applicant would show that on the date of the alleged incident, the applicant was on his duty at village Manora, District Washim. Considering the distance between the alleged spot of the incident and the workplace of the applicant, it appears that it was not possible to reach the workplace from the spot of the incident after committing the offence. Therefore, the case of the applicant is probable. The application deserves to be allowed. Hence, the following order :

ORDER

(A) The Application is allowed.

(B) In the event of arrest the applicant, Chandrakant Sharad Chavan, in connection with Crime No.341/2018, registered with Akhada Balapur Police Station, District Hingoli for offences

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punishable under Sections 395, 420, 170, 171 and 34 of the Indian Penal Code, be released on bail on executing P.B. and S.B. of Rs.20,000/- (Twenty Thousand) with one solvent surety in the like amount, on the condition that he shall attend the police station as and when called by the Investigating Officer on written notice and shall not tamper with the prosecution witnesses.

(C) Hamdast allowed.

(S.G. MEHARE, J.)