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

**25 ANTICIPATORY BAIL APPLICATION NO.791 OF 2022**

**RAHUL @ RAMNATH NAVNATH MULE  
VERSUS  
THE STATE OF MAHARASHTRA**

Mr. A.K. Bhosle, Advocate for applicant;  
Mrs. V.S. Choudhari, A.P.P. for respondent

**CORAM : S. G. MEHARE, J.**

**DATE : 18<sup>th</sup> July, 2022**

**PC.**

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.
2. Only on the suspicion, the offence has been registered against the applicant.
3. It has been vehemently argued by the learned A.P.P. that there are five crimes to the discredit of the applicant. The applicant is absconding. The charge-sheet has also been filed under Section 299 of the Code of Criminal Procedure. However, the Investigating Officer did not supply the material to the learned A.P.P. to convince the Court that there is a slightest evidence that any way the applicant has

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connection with the alleged incident. The law is settled that howsoever the suspicion is strong, that cannot take the place of proof. It is really unfortunate that without any evidence the Investigating Officer has hastily filed the charge-sheet against the applicant. Be that as it may, the first information report does not inspire the confidence that the prosecution has a case for custodial interrogation. Hence, the following order:-

- i) The application is allowed.
- ii) In the event of arrest, the applicant Rahul @ Ramnath Navnath Mule be released on bail, on furnishing P.B. and S.B. Rs.15,000/- with one solvent surety of the like amount, in C.R. No.0043 of 2022, registered with Deogaon police station, for offence punishable under Sections 109, 186, 379 of the Indian Penal Code and Section 21 (1), 21 (2), 4 & 5 of the Mines and Minerals Act, 1957.

**(S. G. MEHARE, J.)**

amj