

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1132 OF 2022

GAURAV @ ANNA S/O. SURENDRA GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. R. K. Kasat h/f. Mr. Murlidhar S. Karad
APP for Respondent : Mr. V. M. Kagne
...

CORAM : S. G. MEHARE, J.

DATE : 06-09-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The first information report reveals that there are general allegations that all the accused abused the complainant on caste. No role is attributed to the applicant. However, the learned A.P.P. would submit that it has been alleged against the applicant that golden chain was snatched and accused fled away on motor bike. Therefore, the recovery of vehicle and golden chain is necessary. It has been also argued that there are two antecedents to the discredit of the applicant. Therefore, anticipatory bail may not be granted to him.

3. The law has been settled that merely antecedents to the discredit of a person is not a ground to refuse the bail. The prosecution has to show the role attributed to the accused in a particular crime. There are no allegations against the applicant that he has snatched golden chain and fled away on motor bike. No serious allegations have been levelled against the applicant. Therefore, the application deserves to be allowed. Hence, the following order :-

- i) The application is allowed.
- ii) The *ad-interim* protection is granted to the applicant by order dated 24.08.2022 is confirmed on the same terms and conditions.

(S. G. MEHARE)
JUDGE

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