

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

917 ANTICIPATORY BAIL APPLICATION NO.1256 OF 2022

UTTAM HANMANT JINAKLWAD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shaikh Yasmeen Firdose
Mohammad Sarwaroddin.
APP for Respondent-State : Mr. V. M. Kagne.
...

CORAM : S. G. MEHARE, J.
DATE : 04.10.2022

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. Admittedly the applicant is not named in the FIR. The persons carrying Indian Crested Hystrix were arrested with the wild animals. However, the prosecution has a case that the applicant was continuously in contact with the other co-accused. The CDR reveals that the accused arrested and the applicant were in contact with each other. Therefore, the Investigating Officer wants to have the custody of the applicant to know his involvement in similar crimes. The offence is serious. Hence, the custodial interrogation of the applicant is required.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the crime. The applicant does not know the other co-accused. He was never involved in any similar crime. Therefore, he may be released on bail.

4. The prosecution has the only evidence of telephonic contact with other co-accused. Prosecution wants to interrogate the applicant on the basis of statement of the co-accused. The prosecution has no strong evidence against the applicant. In these circumstances, the applicant may be released on anticipatory bail on stringent condition. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by the order dated 27.09.2022 stands confirmed on the same terms and conditions to attend the Police Station on 13.10.2022, 14.10.2022 and 15.10.2022 between 10.00 a.m. to 1.00 p.m.

(S. G. MEHARE, J.)

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vmk/-