

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1411 OF 2022

Ratan Bansi Gore

...Applicant

Versus

The State Of Maharashtra & Anr.

...Respondents

Mr. S.E. Shekade, Advocate for the applicant.

Mr. N.T. Bhagat, APP for respondents.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 15th DECEMBER, 2022

ORDER :

1. Applicant apprehends his arrest in Crime No. 385/2022, registered with Shivaji Nagar Police Station, Beed, for the offences punishable under sections 406, 420 read with 34 of the Indian Penal Code.

2. Baban Mane has lodged First Information Report on 11.09.2022 in short alleging that the applicant has entered into an agreement with him that he will work for him as a driver on his tractor. The applicant also introduced him with other accused persons who agreed to work for him as sugarcane cutting labours and by entering into agreement with them informant

paid them advance. It is alleged that the applicant did not work in terms of agreement.

3. Heard the learned advocate for the applicant and learned Additional Public Prosecutor for respondents. Perused the investigation papers.

4. Prima facie, allegations made in the First Information Report appear to be of civil nature. The applicant has produced photo copies of receipts issued by Rajarambapu Patil Sahkari Sakhar Karkhana Limited, Rajaram Nagar, which indicate that the applicant has worked at the said factory as a tractor driver. It therefore appears that there is no substance in the allegations made in the First Information Report. First Information Report is lodged on 11.09.2022 alleging that offence is committed on 13.07.2021. Delay in lodging First Information Report is not explained by informant. Nothing is to be recovered from the applicant. Pre-trial custodial detention of the applicant is therefore not warranted in the facts of the present case.

5. In the result, application is allowed by confirming the interim order dated 21st October, 2022.

6. Till filing of charge sheet, applicant to attend the concerned police station as and when called by the investigating officer. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI, J.]