

ANTICIPATORY BAIL APPLICATION NO. 1168 OF 2022

V/S.

The State of Maharashtra Respondent

Mr. Jadhav, PSI, N.M. Joshi Marg Police Station.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 06th MAY, 2022.

P. C. :-

The Applicant seeks pre-arrest bail in C.R.No.68/2022 registered with N.M. Joshi Marg Police Station for offence punishable under section 379 of the Indian Penal Code.

2. The aforesaid crime was registered pursuant to the First Information Report (FIR) lodged Brahmddev Mishra for theft of his Car No.MH01-AT-5261. Order dated 05/05/2022 records the statement of Mr. Saraogi, learned counsel for the Applicant that the Applicant herein had instructed the co-accused to lift the vehicle for non-payment of dues. Learned counsel for the Applicant had made a statement that he would make an endeavour to return the vehicle on the next day failing which he would withdraw the Application.

3. The Applicant has filed affidavit today stating that the co-accused who has been arrested, had changed the number plate and parked the same in RTO Chowki, 'S' Bridge, Byculla. Learned APP, upon instructions from the Investigating Officer, states that the vehicle till date has not been seized. The affidavit filed by the Applicant reveals that the Applicant is well aware that the number plate in respect of the said vehicle which belongs to the complainant, has been changed.

4. Despite the statement made before the Court, the Applicant had not taken steps to return the vehicle to the complainant though he is well aware of the place where the vehicle is parked. Furthermore, no explanation is forthcoming for replacing the number plate of the vehicle with a fake number plate.

5. The above facts and circumstances do not justify grant of pre-arrest bail. Hence, the Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)

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