

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1793 OF 2022

Bajirao Ambu Gaikwad

Age 55 yrs, Occ:Agriculturist/business

R/o- A/p Vilholi, Tal & Dist-Nashik ... Applicant.

Versus

The State of Maharashtra

(at the instance of PI-Nashik

Taluka Police station, Nashik vide

CR No.15/2022) .. Respondent.

...

Mr Aniket Nikam, Advocate a/w Adv. Piyush Toshnival for the
Applicant.

Mr VB Konde Deshmukh, APP for the State.

...

CORAM : R. N. LADDHA, J.

DATE : 21 DECEMBER 2022.

P.C.:

In this application, the Applicant has approached this Court seeking anticipatory bail in connection with an FIR bearing C.R.No.15/2022 registered against him at Nashik Taluka Police Station, Nashik under Sections 420, 468, 471 r/w Section 34 of the Indian Penal Code.

2. On 04.7.2022, when this application came up for consideration, this Court found that a prima facie case for grant of ad-interim protection was made out by the Applicant and that as

such ad-interim protection could be granted. Consequently, the following order granting ad-interim protection was passed in favour of the Applicant.

- “i) Issue notice to the Respondents, returnable on 21.7.2022.*
- ii) The learned APP waives notice for the State.*
- iii) The Respondent shall file an affidavit in reply within a period of two weeks from today.*
- iv) In the meanwhile the Applicant shall not be arrested in C.R.No.15 of 2022 registered with Nashik Taluka Police Station, Nashik.”*

3. Today, when the application is listed for further consideration, Mr Aniket Nikam, learned Counsel appearing for the Applicant submitted that, the Applicant has cooperated with the investigation. Further he submitted that in the present case the investigation is almost completed and that therefore, the application may be allowed in the interest of justice.

4. Mr V.B.Konde Deshmukh, learned Additional Public Prosecutor, on instructions, confirms that the Applicant has indeed cooperated with the investigation. He, on instructions, submits that the investigation is almost completed and now police do not want the custody of Applicant. It is submitted that this may issue appropriate directions to the Applicant to cooperate with the investigation and report to the Investigating Officer as and when required.

5. Given the above, this Court is inclined to confirm the interim protection by allowing the present application. Hence, the following order.

ORDER

a) It is directed that in the event the Applicant is arrested in connection with C.R.No.15 of 2022 registered at Nashik Taluka Police Station, Nashik for the offences punishable under Sections 420, 468, 471 r/w Section 34 of the Indian Penal Code, he shall be released on bail on furnishing a P.R.Bond of Rs.25,000/- with one or two sureties in the like amount.

b) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.

c) The Applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.

[R. N. LADDHA, J.]