

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

ANTICIPATORY BAIL APPLICATION NO. 2231 OF 2022

Ravi Tokaram Rathod ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Arjun Singh Thakur for the Applicant.
Ms. M. M. Deshmukh, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 19th OCTOBER 2022

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.155 of 2022 registered at Jodbhavi Peth Police Station for the offences punishable under Sections 379, 406, 411 r/w. 34 of the Indian Penal Code.
3. It is the case of the prosecution that on 27.03.2022, pursuant to secret information the truck bearing registration No. KA-33A6368 was intercepted as the said truck was transporting milk powder packets of Nandini Company which were not meant for sale but were meant for distributing to the students of government school under 'Kshirbhagya Mid day meal scheme' of Government of Karnataka. During the course of investigation, it was revealed that the said milk pockets were to be

unloaded at the Godown of the present applicant.

4. The learned counsel for the applicant submits that there is no material to show that milk pockets were stolen. It is submitted that even otherwise considering the facts and circumstances the applicant can not be roped in as receiver of stolen property.

5. The prosecution has filed the charge sheet and present applicant is shown as absconding.

6. The learned APP for the State had pointed out the statements of Raju Bandivaddar and Kisan Salunkhe. Perusal of the statements of the said witnesses shows that the present applicant had on many occasions purchased milk powder pockets of Nandini Company from Nishant Kalshetty and Satish Kichade who are co-accused in the present crime. Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the applicant.

7. The application is rejected.

(N.R. BORKAR, J.)