

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3544 OF 2022**

Kisan Pandhari Thorat

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Ganesh Gupta i/b G.G. Legal Associates for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 21 DECEMBER 2022

P.C. :-

This is an application under Section 438 of the Code of Criminal Procedure for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 113 of 2022 registered at Sangavi police station for the offences punishable under Sections 406, 420 read with 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the FIR.

4. The allegations are of non-supply of goods. The learned counsel for the applicant submits that the complainant has already filed civil suit against the applicant.

5. Prima facie, the dispute appears to be of civil nature, I am therefore inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant in Crime No. 113 of 2022 registered at Sangavi police station for the offences punishable under Sections 406, 420 read with 34 of the Indian Penal Code, he shall released on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called.

(N.R. BORKAR, J.)