

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.413 OF 2022

Vinod Pundlik Jadhao

Versus

State of Maharashtra, through P.S.O., P.S. Mangrulpir, Tah. Mangrulpir, Dist. Washim

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.D. Chande, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 03/08/2022

1. The applicant is seeking pre-arrest bail in Crime No.234 of 2022, dated 21.03.2022, registered with Police Station Mangrulpir, District: Washim, for the offences punishable under Sections 380 and 461 of the Indian Penal Code.

2. Shri Chande, learned counsel for the applicant submits that the raid was conducted on a private godown of the applicant and the foodgrains were seized by putting a seal on the door. On the next day, a complaint came to be lodged on the ground that the quantity which was seized, was found less. He therefore, submits that the applicant has been falsely implicated in the alleged offence.

3. He further submits that the applicant has granted *ad-interim* anticipatory bail vide order dated 20.06.2022 and he attended the Police Station twice when he was called by the Investigation Officer (IO).

4. He submits that thereafter, the IO did not call him, which show that further custody of the applicant is not necessary.

5. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application.

6. I have perused the Case Diary and First Information Report (FIR).

7. The applicant has produced receipts of purchase of foodgrains which was submitted to the IO for verification. However, despite the fact that, repeatedly time was granted on many occasions to verify the receipts, there is no response from the IO.

8. Moreover, considering the nature of allegations and the fact that it is a private godown and after seizure of the foodgrains a seal was put on the godown which was intact on the next day when the quantity alleged to have found less.

9. Thus, in the above referred backdrop and the fact that the applicant has attended the Police Station twice and thereafter, he was not called by IO, I am of the opinion that further custody of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 20.06.2022, granting *ad-interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.
- c) The applicant shall not tamper with the prosecution witnesses.
- d) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]