

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1551 OF 2023

Rahul s/o Govind Landge

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr. D. M. Shinde, Advocate for the applicant.

Mrs. G. L. Deshpande, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 17th OCTOBER, 2023.

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 483/2023 registered with Nanded Rural Police Station, District Nanded for the offences punishable under Section 395, 427 of Indian Penal Code and Sections 4/25 of Arms Act.

2. In respect of the incident occurred on 30th June, 2023 at about 7.30 pm, informant reported to the police that applicant along with co-accused came to the bar of the applicant and co-accused snatched amount of Rs. 3,000/- from the cash counter. It is also alleged that the present applicant and others caused damage to the property to the tune of Rs. 5,000/-

3. Learned counsel for the applicant submits that there is no allegation against the present applicant of snatching amount of Rs. 3,000/-. Thus, according to him, custodial interrogation of the applicant is not necessary as nothing is to be recovered from him. He, however, on instructions, makes a statement that applicant is ready to make the damage caused to the property of the informant good by depositing sum of Rs. 5,000/-.

4. Learned APP opposed the application mainly referring to the criminal antecedents of the applicant as there are three crimes registered against him. It is submitted that all the accused came together to the spot and hence they owe responsibility of the act of each other.

5. Perusal of the record indicates that there is already recovery of Rs. 3,000/- at the instance of co-accused. There is no allegation against the applicant of causing any assault on anyone. As far as damage caused to the property is concerned, voluntary statement of the applicant is sufficient to make the same good. Though such statement of depositing amount of Rs. 5,000/- is made

by the applicant, this Court find it not fit to issue such direction to deposit amount towards recovery of damage caused to the property. However, the said amount be credited to the Government Pleaders Library, High Court of Bombay, Bench at Aurangabad. In the result, application is allowed. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with Crime No. 483/2023, registered with Nanded Rural Police Station, District Nanded, for the offences punishable under Sections 395, 427 of the Indian Penal Code and Section 4/25 of Arms Act, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.
- (iii) He shall attend the concerned police station once in a week till filing of the charge-sheet.
- (iv) He shall not contact the witnesses directly or indirectly.

(v) He shall not interfere with the evidence in any manner whatsoever.

(vi) He is further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI)
Judge

dyb