

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1709 OF 2022

Sushant Shivaji Date

.... Applicant

Versus

The State of Maharashtra
and another

.... Respondents

.....

Ms. Sunita G. Sonawane, Advocate for the Applicant

Ms. R.P. Gour, APP for Respondents – State

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 24th FEBRUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No.904 of 2022 registered with Parner Police Station, District Ahmednagar for offences punishable under sections 381 read with 34 of the Indian Penal Code.

2. FIR is lodged against 3 accused persons by Police Constable of Parner Police Station alleging that on 04/11/2022, on receipt of secrete information, the informant along with other police personnel went to Parner at about 1.00 p.m. They saw Tanker No. MH-14/CV-4427. They chased the Tanker, and it was found that driver of the Tanker was selling petrol near the house of present applicant. The can of petrol was found in possession of the driver. The customers fled away

from the spot. On enquiry, the name of the applicant was disclosed by the driver as he was one of the purchasers.

3. Heard learned advocate for the applicant/s and learned Additional Public Prosecutor for the State. Perused the papers of the investigation.

4. Admittedly, at the time of raid, the applicant has allegedly fled away from the spot, so nothing is to be recovered from the applicant.

5. The applicant was granted interim protection and he has co-operated in the investigation. In the facts of the present case, pre-trial custodial detention of the applicant is, therefore, not necessary.

6. In the result, the application is allowed by confirming the interim order.

7. In the event of arrest of the applicant in connection with Crime No.904 of 2022 registered with Parner Police Station, District Ahmednagar for offences punishable under sections 381 read with 34 of the Indian Penal Code, the applicant shall be released on executing Personal Bond of Rs.15,000/- with one surety each in the like amount.

8. Till filing of the charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P Rane