

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1736 OF 2022

Vasant Maroti Devkatte Applicant
Versus
The State of Maharashtra
and another Respondents

.....
Mr. H.I. Pathan, Advocate for the Applicant
Ms. R.P. Gour, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 09th JANUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No. 0539 of 2022 registered with Ahmedpur Police Station, District Latur for offence punishable under sections 379 read with 34 of the Indian Penal Code.

2. FIR is lodged by Police Officer alleging that in the night of 23/11/2022, they found one Hyva Tipper No. MH 04 JK 1088 illegally carrying 4.5 Brass sand worth of Rs.30,000/-. Accordingly, Hyva Tipper and sand were seized. On inquiry with the driver, he disclosed that sand was excavated at the instance of the applicant, who is the owner of Hyva tipper.

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

4. The Hyva Tipper owned by the applicant and alleged stolen sand is already seized. There are no criminal antecedents against the applicant. Therefore, pre-trial custodial detention of the applicant, in the facts of the present case, is not necessary.

5. In the result, the application is allowed. In the event of arrest of the applicant in connection with Crime No.0539 of 2022 registered with Ahmedpur Police Station, District Latur for offence punishable under section 379 read 34 of the Indian Penal Code, the applicant shall be released on executing Personal Bond of Rs.15,000/- with one surety in the like amount.

6. Till filing of the charge-sheet, the applicant shall attend the concerned police station on every Saturday and Sunday between 10.00 a.m. and 12.00 noon and shall co-operate in the investigation. The applicant shall not indulge in similar offence. The applicant shall not tamper with the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane