



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1887 OF 2023

Vicky @ Vijay Sunil Patil ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. S. S. Ghodke, Advocate for the Applicant.

Mr. M. K. Goyanka, Addl PP, for the Respondent – State.

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CORAM : R.M. JOSHI, J

DATE : NOVEMBER 30, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 311 of 2023 registered with West Deopur Police Station, Dist. Dhule for the offences punishable under Sections 353, 379, 332, 186, 504, 506 read with Section 34 of the Indian Penal Code and Section 48(8) of the Maharashtra Land Revenue Code, 1966.

2. Talathi Balapur, Dist. Dhule gave report in respect of incident occurred on 21.09.2023. It is the contention of the informant that the tractor was intercepted as it was found carrying one brass of minor minerals without permit. There is allegation that present Applicant drove the said tractor away. There is

further allegation against co-accused of causing physical assault on the informant.

3. Learned Counsel for the Applicant submits that the Applicant is not the owner of the tractor which is allegedly driven away by him. It is further submitted that the tractor in question is already seized and as such, nothing is to be recorded at his instance.

4. Learned APP opposed the application with the contention that there is active role of the Applicant in this crime of taking away the tractor from the custody of Government Servant. Application is also opposed on the ground that there is one crime registered against Applicant.

5. A candid statement is made by learned Counsel for Applicant, on instructions, that the Applicant is not the owner of the tractor in question. The said statement is accepted. The said tractor is already seized hence, nothing is to be recovered from the Applicant. There is no allegation against the Applicant that he has caused any assault on the informant and any other person. Crime registered against Applicant has no

connection with the nature of offence now alleged against him.

6. In view of above, application stands allowed.

Hence, the order:

O R D E R

- (i) In the event of arrest the Applicant in connection with C.R. No. 311 of 2023 registered with West Deopur Police Station, Dist. Dhule for the offences punishable under Sections 353, 379, 332, 186, 504, 506 read with Section 34 of the Indian Penal Code and Section 48(8) of the Maharashtra Land Revenue Code, 1966, he shall be released on bail on furnishing PR bond of Rs. 15,000 (Rupees Fifteen Thousand Only) with one surety in the like amount.
- (iii) He shall attend the concerned police station as and when required.
- (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, J.)