

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 499 OF 2023**

Basu Yadvad

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Sudhir Somalwar for the Applicant.

Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 13 MARCH 2023

P.C. :-

. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 231 of 2022 registered at Faraskhana Police Station, Pune City for the offences punishable under Sections 447, 448, 454, 380 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. According to the complainant, the present applicant and other co-accused are in unauthorized occupation of the premises owned by him and

it is alleged that they stole the documents in relation to properties owned by him.

5. Prima facie, the dispute appears to be of a civil nature. According to the complainant, the alleged incident of theft took place on 17 September 2022. It appears that the report was thereafter lodged on 19 September 2022, however, no cognizance of it was taken till 01 December 2022. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 231 of 2022 registered at Faraskhana Police Station, Pune City for the offences punishable under Sections 447, 448, 454, 380 r/w 34 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 15,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)