

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 797 OF 2023**

Anna Laxman Gaikwad

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Tejas Hilage for the Applicant.
Ms Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 16 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. 168 of 2021 registered at Khadki Police Station, Pune City for the offences punishable under Section 379 of the Indian Penal Code.

3. The allegations against the present applicant are of purchasing stolen sandalwood.

4. On 18 July 2022, on the basis of statement of accused Antros Pawar in Crime No. 182 of 2022 registered at Khadki Police Station, the applicant was arrested in Crime No. 92 of 2022 registered at the very same police station. The applicant thereafter on the basis of his memorandum

statement dated 21 July 2022 was arrested in few more crimes of similar nature. It appears that applicant has been released on bail in the said crimes. The only incriminating material against the applicant is the very same memorandum statement of the applicant dated 21 July 2022. It is not understood as to why he was not arrested in the present crime.

5. 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. 168 of 2021 registered at Khadki Police Station, Pune City for the offences punishable under Section 379 of the Indian Penal Code, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)