

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1073 OF 2023

1. Aslam s/o. Aabedin Sayyed
2. Rajiyoddin s/o.Yusuf Sayyed ...Applicants
V/s.
The Commissioner of Police and anr. ...Respondents.

Mr.Shubham Kahite a/w. Mr. Ganesh Shinde for the Applicants.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 21.04.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicants are apprehending their arrest in Crime No.110 of 2023 registered at Lonikand Police Station, Pune for the offence punishable under Sections 379, 411, 201 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.
4. According to the prosecution, the co-accused Laxman Gade had stolen the truck owned by the complainant and sold it to another co-accused Firoze Shaikh. According to the prosecution, the present applicants had helped the said co-accused Firoze Shaikh to scrap the truck in question.

5. *Prima facie*, there appears to be no material to show that the applicants were aware that the truck in question was stolen. Considering the overall facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicants on anticipatory bail. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicants in C.R. No. 110 of 2023 registered at Lonikand Police Station, Pune for the offence punishable under Sections 379, 411, 201 read with 34 of the Indian Penal Code, they be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.
- C) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]