

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1294 OF 2021

Ravindra S. Dighe ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Rohan H. Barge for the Applicant.
Mr. P.H. Gaikwad-Patil, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 28.02.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.
3. According to the prosecution, on 23 April 2021, on the basis of secrete information, a raid was conducted and during the said raid the present applicant and other co-accused were found to be in possession of 73 tonnes of Hydrocarbon.
4. This Court on 28 May 2021 passed the following order.
 "1 Heard.
 2 Issue notice to the Respondent returnable on 19th July, 2021. Learned APP waives service of notice.
 3. In view of observations made by the learned JMFC, Panvel in the order dated 13th May, 2021, in this very crime while ordering release of other co-accused, in my

opinion, case for grant of ad-interim protection is made out. As such, following order is passed.

O R D E R

i) In the event of arrest in Crime No.138 of 2021, registered with Panvel Taluka Police Station, for the offences punishable under Sections 406 read with 34 of the Indian Penal Code and under Sections 3,7,8 of Essential Commodities Act with Lubricant Oil and Greece (Processing, Supply and Distribution Regulation) Order 1987, the applicant be released on bail on executing P.R. bond of Rs.15,000/- with one or more sureties in the like amount;

ii) The applicant shall attend the investigation officer on 2nd, 4th, 6th and 8th June 2021 between 10.00 am. to 12.00 noon and thereafter as and when directed.

lii) The applicant shall not try to influence the prosecution witnesses or tamper with the evidence."

5. The investigation is over and the prosecution has already filed the charge-sheet against the co-accused. Except the disclosure statement of the co-accused, there is no other incriminating material against the applicant. Considering the overall facts and circumstances, I am inclined to allow the present application. The interim order passed by this Court dated 28 May 2021 is hereby confirmed.

6. The Application is disposed of.

[N.R.BORKAR, J.]