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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.29 OF 2024

Parasram Haribhau Jadhav

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

.....
Mr. Shashikant S. Londhe, Advocate for the applicant
Mr. A. R. Kale, APP for respondent - State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 27th MARCH, 2024

ORDER :

1. Applicant apprehends arrest in connection with Crime No.671 of 2023 registered with Akhada Balaupr Police Station District – Hingoli for offence punishable under sections 379, 420, 177, 120-B, 411 of the Indian Penal Code.
2. FIR is lodged by Nitin Gautam Ingole alleging that he purchased one tractor's head on finance. On 5th May, 2023 at about 10.00 p.m. he parked the tractor's head in front of his house, but on next day he realized that the same was stolen. During investigation, it is found that informant lodged false report about theft and in fact he and co-accused Sk Anees made a conspiracy and lodged report with intention to deceive the finance company and insurance company.

3. Heard learned advocate for applicant and learned APP for the State. Perused the papers of investigation.
4. During the course of investigation, informant, who is made accused in the present crime, has disclosed that applicant gave him the idea to sell off tractor head and to lodge FIR with police that tractor head is stolen then he will get new tractor head from the insurance company and his loan amount would be written off.
5. Informant and the purchaser of the tractor head both were arrested and produced before the learned Magistrate and their Magisterial Custody was sought. The Tractor Head is already seized.
6. Learned APP submits that CDRs show that applicant was in constant touch with the informant in the present crime at the time of incident. That itself may not be sufficient to seek custodial detention of applicant. Since name of applicant is disclosed by co-accused, at this stage also not much importance can be given to the same, as nothing is to be recovered from the applicant.
7. In that view of the matter, application is allowed.

8. In the event of arrest of applicant in connection with Crime No.671 of 2023 registered with Akhada Balaupr Police Station District - Hingoli applicant - Parasram Haribhau Jadhav be released on executing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount.

9. Applicant shall attend the concerned police station from 1st April, 2024 to 5th April, 2024 everyday between 10.00 a.m. and 12.00 noon and shall co-operate in the investigation. Thereafter, till filing of charge sheet, applicant shall attend the concerned police station as and when called by the Investigating Officer. Applicant shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE