

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 92 OF 2024

Sagar Ananta Patole

..Applicant

Versus

State of Maharashtra

..Respondent

Mr. Sumedh S. Modak for Applicant.

Ms. Pallavi N. Dabholkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 15 JANUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 674 of 2023, registered at Mahatma Phule Chowk Police Station, District Thane, under sections 457, 458, 380 and 511 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Sumedh Modak, learned counsel for the applicant and Ms. Pallavi Dabholkar, learned APP for the State.

3. The F.I.R. is lodged by one Sanjay Gupta. He was into a construction business. He was having his office in Atul Baug building, on 1st and 2nd floor of that building. In the midnight of

23.11.2023 and 24.11.2023, at about 2.30a.m. three unknown persons entered his office by breaking open the lock. The watchman was overpowered. The neighbours were informed who in turn called the informant. He came to his office and found that somebody had entered his office forcibly. The files were scattered, however, nothing was stolen from his office. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the applicant is apprehending his arrest, but there is no material against him. The specific case of the prosecution is that the accused Swapnil, Pundlik and Balwant entered the office. They are granted regular bail. As of today, only the watchman Ramnarayan Yadav is in custody.

5. Learned APP submitted that, the applicant's name is revealed in the statement of co-accused. However, no major role is attributed to him. He was not present near the building when the incident had taken place. The prosecution did not have any serious allegation against him.

6. Considering these submissions, custodial interrogation of the applicant is not necessary. He can be protected U/s.438 of the Cr.p.c.

7. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No. 674 of 2023, registered at Mahatma Phule Chowk Police Station, District Thane, the applicant is directed to be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Applicant shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)