

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

ANTICIPATORY BAIL APPLICATION NO. 928 OF 2024

Hetusingh Rathod

.... Applicant

Versus

The State of Maharashtra

.... Respondent

YUGANDHARA
SHARAD
PATIL

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by
YUGANDHARA
SHARAD PATIL
Date: 2024.04.10
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Mr.Stayam H. Nimbalkar a/w Harshwardhan M. Pawar a/w
Abhishek V. Arote a/w Arun Chavan , for the applicant.
Smt. M.H. Mhatre , APP for the State/Respondent.

CORAM :SARANG V. KOTWAL, J.
DATE : 5th APRIL, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R No.201 of 2023, registered at Nigadi Police Station, Pimpri Chinchwad, on 30/03/2023, under Sections 420, 408 r/w 34 of the Indian Penal Code.

2. Heard Mr. Nimbalkar, learned counsel for the Applicant and Smt. Mhatre, learned APP for the Respondent-State.

3. The FIR is lodged by one Virendra Jain. He was having

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a jewellery shop. The gist of the FIR that one Khushal Chauhan was working with him. He was doing all the work of accounting, marketing and keeping stock. He has taken about 5 Kg of gold worth Rs. 2,55,00,000/-. On this basis the FIR is lodged. The investigation was carried out and the charge-sheet is filed. The Applicant is shown as Accused No. 8. However, the allegations against the present Applicant are that he had received some gold from the total gold taken by Khushal.

4. Learned counsel for the Applicant submitted that the charge-sheet story itself mentioned that the only main accused was knowing that it was a stolen property. There is nothing to show that the Applicant was aware that it was a stolen property.

5. Learned APP submitted that the Investigating Officer is not present. She seeks adjournment. Considering this request, today, I am adjourning the matter. However, based on the submissions made by the learned counsel for the Applicant, he can be protected by way of ad interim relief with directions to attend

the concerned Police station. Hence the following order.

ORDER

- (i) In the event of his arrest in connection with C.R No.201 of 2023, registered at Nigadi Police Station, Pimpri Chinchwad till the next date, the Applicant is directed to be released on bail on his executing PR. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) This order shall operate till 06/ 05/2024.
- (iii) The applicant shall attend the concerned Police Station on 22nd, 23rd and 24th April 2024 between 1.00p.m. to 5.00 p.m. and thereafter as and when called. The Applicant shall co-operate with the investigation.
- (iv) Stand over to 06/ 05/2024.

(SARANG V. KOTWAL, J.)