

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

Anticipatory Bail Application No.1700 OF 2024

Amol Lahanu Muke

Age-43, Occ: Business

residing at Flat No.-1602, Riverdale

Vista, Frazer building, near D-mart,

Khadakpada, Kalyan (West), Thane

Maharashtra-421301.

... Applicant/Accused No.6.

v/s.

The State of Maharashtra

(At the instance of Versova Police

Station)

... Respondent

....

Mr Himanshu Shinde for the Applicant.

Mr Avinash Naik, APP, for Respondent State.

....

Coram : R.N. Laddha, J.

Date : 26 June 2024.

P.C. :

Heard Mr Himanshu Shinde, the learned Counsel representing the applicant, and Mr Avinash Naik, the learned Additional Public Prosecutor representing the respondent/ State.

2. In this application, the applicant has approached this Court seeking anticipatory bail in connection with CR No.764 of 2023,

registered at Versova Police Station, Mumbai, for the offences punishable under Sections 420, 170 read with 34 of the Indian Penal Code.

3. According to the prosecution, the co-accused, under the applicant's instructions, deceived the informant with false information to obtain diesel and did not make payment for it.

4. Mr Himanshu Shinde, the learned Counsel appearing on behalf of the applicant, submits that apart from the co-accused's statement, there is no material linking the applicant to the crime. The co-accused have already been released on bail, and the investigation is over, making custodial interrogation unnecessary.

5. The learned APP, representing the State, acknowledges that the co-accused, who implicate the applicant in the crime, have already been granted bail. Furthermore, the learned APP states that the investigation is nearly concluded, and has no objection to granting anticipatory bail, provided that the applicant complies with the condition of attending the concerned police station as and when required by the investigating agency.

6. Upon perusing the records, it transpires that the investigation is almost completed. All other co-accused have already been released on bail. Apart from the co-accused's statement, there is no material

connecting the applicant to the crime. Given the above, the application is allowed in the following terms:

- (i) In the event of the applicant's arrest in CR No.764 of 2023 registered with Versova Police Station, Mumbai, he be released on bail, upon furnishing a PR Bond of Rs.25,000/-, with one or more sureties in the like amount.
- (ii) The applicant shall co-operate with the investigation and attend the concerned Police Station as and when required.
- (iii) The applicant shall not, himself or through any other person, indulge in any activity that would tamper with the evidence or influence the witnesses.

7. The application stands disposed of accordingly.

[R.N. Laddha, J.]