

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1731 OF 2024

Hitesh Ramrao Patil ... Applicant

Vs.

State of Maharashtra and another ... Respondents

Mr. Arshad Shaikh, Senior Advocate with Mr. Shrishailya Deshmukh for Applicant.

Mr. Tanveer Khan, APP for Respondent-State.

CORAM : MANISH PITALE, J.

DATE : JUNE 27, 2024

P.C. :

. Heard Mr. Shaikh, learned senior counsel for the applicant and Mr. Khan, learned APP for the respondent-State.

2. At the outset, it is pointed out that this Court has already granted ad-interim protection to the two named accused persons in the subject FIR and that their application is listed for further consideration on 05.07.2024.

3. It is submitted that in the order dated 13.06.2024 passed by this Court in Anticipatory Bail Application No.1514 of 2024, this Court has already given a finding that the dispute *prima facie* appears to be of civil nature. It is further pointed out on behalf of the applicant that he is not even named in the subject FIR and therefore, this Court may consider granting protection, particularly because the interim protection granted by the Sessions Court is expiring today.

4. In the present case, this Court has already granted interim protection to the named accused persons, who are holding power of attorney of the original owner of the land. This Court has found that the grievance of the informant appears to be that, despite the informant having entered into an agreement to sell with the said accused persons,

they failed to execute sale deed and in the meanwhile, the original owner of the subject land executed the sale deed in favour of third party. The said third party is the applicant before this Court in the present application.

5. Considering the reasons given in the order dated 13.06.2024 passed by this Court in Anticipatory Bail Application No.1514 of 2024, while granting interim protection to the named accused persons, coupled with the fact that the applicant *prima facie* appears to be a *bona fide* purchaser for value from the original owner and also taking into consideration the fact that the applicant is not named as an accused in the subject FIR, this Court is inclined to grant interim relief.

6. In view of the above, the following interim order is passed:-

- A. Till the next date, in the event the applicant is arrested in connection with FIR No.0082 of 2024 dated 06.05.2024 registered in Revdanda Police Station, District - Raigad, he shall be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount;
- B. The applicant shall co-operate with the investigation and he shall provide all the documents demanded by the investigating officer during the course of investigation;
- C. The applicant shall not influence the informant, witnesses or any person concerned with the case and he shall not tamper with the evidence.

7. In case any of the aforesaid conditions are violated, the present order would be liable to be cancelled.

8. List this application along with Anticipatory Bail Application No.1514 of 2024 on 05.07.2024.

(MANISH PITALE, J.)