

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

ANTICIPATORY BAIL APPLICATION NO. 2621 OF 2024

1. Vilas Shama Bhosale		
2. Ishyam Vilas Bhosale	...	Applicants
Versus		
The State of Maharashtra	...	Respondent

Mr. Ranjeet M. Pawar for the Applicants.
Ms. Megha S. Bajoria, APP for Respondent-State.
Mr. Jinesh Mukund Koli, PSI, Supa Police Station, Baramati Sub-Division, Pune (Rural).

CORAM: MANISH PITALE, J.
DATE : 26th SEPTEMBER 2024

P.C. :

1. Heard learned counsel for the applicants and learned APP for the respondent-State.

2. The applicants are apprehending arrest in connection with FIR No. 0147 of 2024 dated 6th May 2024 registered at Supa Police Station, Dist. Pune, for offences under Sections 380 and 457 of the Indian Penal Code, 1860 (IPC).

3. As per the statement of the informant, at about 5:00 a.m. in the morning on 6th May 2024, it came to light that there was a theft in the house of the informant and that jewellery worth about Rs.2,00,000/- was stolen. The FIR was registered against unknown person. On 8th May 2024, co-accused person was arrested when

he attempted to sell part of the stolen jewellery to a jeweler. The said co-accused gave a statement that he has received a part of the stolen jewellery from the applicants. On this basis, the applicants were arraigned as accused persons.

4. The learned counsel for the applicants submits that other than the statement of co-accused person, there is no material at all to link the applicants with the incident in question. It is submitted that the applicants are ready to cooperate with the investigation and therefore, this Court may consider allowing the application.

5. On the other hand, the learned APP submits that the investigation is on going and at the stage of considering anticipatory bail application, statement of the co-accused can certainly be relied upon. On this basis, the application be resisted.

6. This Court is of the opinion that it would be appropriate to keep the present application pending, as the investigation is still on going. But, the applicants have made out a case for granting them interim order, so long as they cooperate with the investigation, for the reason that presently, other than the statement of the co-accused person involving the applicants in the incident in question, there does not appear any other material on record.

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

- (a) Till the next date, in the event the applicants are arrested in connection with FIR No. 0147 of 2024 dated 6th May 2024

registered at Supa Police Station, Dist. Pune, they shall be released on bail on furnishing PR Bond of Rs.25,000/- each and one or two sureties in the like amount.

- (b) The applicants shall remain present before the Investigating Officer on 30th September 2024 and 1st October 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer.
- (c) The applicants shall cooperate with the investigation and shall surrender their mobile phones to the Investigating Officer.
- (d) The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

8. In the event, the applicants violate any of the aforesaid conditions, the order passed today would be recalled.

9. List this application for further consideration on 22nd October 2024, to be included in the supplementary list.

MANISH PITALE, J.