

ANTICIPATORY BAIL APPLICATION NO. 2870 OF 2024

P.C. :

1. Apprehending arrest under C.R. No. 264/2024 registered with Sahapur Police Station, District Kolhapur for the Offences punishable U/s. 303(2), 316(3) r/w. S.3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'BNS'), the Applicant has filed this pre-arrest bail application.
2. Heard learned counsel for Applicant/Accused No.3 and learned APP for Respondent/State. Perused the FIR dated 5/8/2024 filed by Aakash Mahavir Khot, who is apparently arraigned as Accused No. 1 in the Charge-sheet.
3. Perusal of the FIR and the order of learned Additional Sessions

Judge, Ichalkaranji dated 20/9/2024 would show that it is the case of the prosecution that the Applicant conspired with accused Nos. 1 & 2 i.e. Khot brothers in the theft of 200 boxes of cotton yarn.

4. Learned counsel for the Applicant has relied upon the statement of Accused No. 2 Mr. Abhijit Mahavir Khot who has shown the place where the stolen goods were stored. It is submitted that both Accused Nos. 1 & 2 have not indicated anything to implicate the present Accused.

5. Learned APP has submitted that since the Applicant is resident of Taluka Nipani District Belgavi, Karnataka, his presence is necessary for proper investigation. Learned counsel for the Applicant on instructions submits that the Applicant is ready to co-operate with the investigation. Hence, case for ad-interim protection is made out.

6. Therefore, following **ad-interim** order is passed.

i. In the event of the arrest of the Applicant/Accused Sharanik Babagouda Kenchagouda in connection with C.R. No. 264/2024 registered with Sahapur Police Station District Kolhapur, he be released on bail on executing P.R.Bond of Rs.15,000/- with one or more surety in like amount.

ii. The Applicant is directed not to tamper with prosecution evidence and not to influence any of the witnesses involved.

iii. The Applicant is directed to co-operate with the investigation and he is further directed to attend concerned Police Station on 5th, 6th & 7th November, 2024 and thereafter as and when required.

7. Place this application before the regular Court on 26/11/2024 for further hearing.

8. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)