



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.79 OF 2024

Giridhar s/o Dinkar Bangre and another
Vs.
State of Maharashtra, Through Police Station Officer, Beltarodi,
District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. V. Rai, Advocate for applicant.
Mr. N. B. Jawade, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 07/03/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.701/2023 registered with Police Station, Beltarodi, District Nagpur for the offences punishable under Sections 380, 454, 457 and 411 of the Indian Penal Code, the applicants approached to this Court for grant of pre-arrest bail.

2. As per the allegation on the basis of report lodged by Shruti Mayur Gajbhiye, that some unknown persons have broken her house and committed the theft by stealing the golden ornaments. On the basis of said report, police have registered the crime against the unknown persons. During the investigation, it revealed that the present applicant No.1, is the Jeweller and applicant No.2 is the son of the applicant No.1 in whose name the shop is

standing have purchased the said stolen articles and, therefore, they are arraigned as an accused.

3. Learned Counsel for the applicant Mr. Rai submitted that the search of the shop and search of the house of the applicants is carried out but nothing is seized from them. Their custodial interrogation is not required. Considering the same, the pre-arrest interim protection granted in the nature of pre-arrest bail deserves to be confirmed.

4. Learned APP strongly opposed the application on the ground that there are criminal antecedents against the present applicants. The present applicants are habitual in purchasing the stolen articles and therefore, their custodial interrogation is required. In view of that, the application deserves to be rejected.

5. After hearing the learned Counsel for the applicants and learned APP for the State, perused the investigation papers. From the investigation papers, it revealed that the only allegation against the present applicants was that they had purchased the stolen articles. The search of the house and shop was already carried out, however, nothing was recovered from them.

6. Considering the limited role attributed to the present applicants and during search of the

house, nothing is recovered from them. The interim protection was granted to them which now deserves to be confirmed. In view of that, I proceed to pass following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of their arrest, the applicant **No.(1) Giridhar S/o Dinkar Bangre and No.(2) Anshul S/o Giridhar Bangre** be released on anticipatory bail, in connection with Crime No.701/2023 registered with Police Station, Beltarodi, District Nagpur for the offences punishable under Sections 380, 454, 457 and 411 of the Indian Penal Code, on executing PR bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.
- (iii) The applicants shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 p.m., till filing of the charge-sheet.
- (iv) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)