



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1067 OF 2025

Vinod s/o Punjabrao Deshmukh

Age : 52 years, Occupation Agriculture,

R/o : At Post Jalgaon,

Taluka and District Jalgaon.

... Applicant

Versus

1. The State of Maharashtra,
Through Investigating Officer,
Ramanand Police Station,
Jalgaon, Taluka and District Jalgaon.

2. Superintendent of Police,
Jalgaon, Taluka and District Jalgaon.

... Respondents

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Mr. R. N. Dhorde, Senior Advocate i/by Mr. V. S. Kadam, Advocate
for the Applicant.

Mrs. M. L. Sangit, APP for the Respondents-State.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 19.08.2025

Pronounced on : 20.08.2025

ORDER :

1. Applicant has pressed pre arrest bail application on account of registration of crime bearing no. 0336/2022 registered at Ramanand Police Station, District Jalgaon for offence under Sections 395, 504, 506, 120-B of IPC.

2. Learned senior counsel Mr. Dhorde would submit that there is property dispute. Out of annoyance, FIR has been filed. That, there are allegations of forcing entry in the office and taking away cash and gold coins. Report is lodged after twelve days of alleged occurrence. Learned senior counsel pointed out that, complainant has given two distinct versions at two different times. That, applicant's statement is already recorded. Learned senior counsel pointed out that, in previous attempt, for want of proper instructions regarding antecedents, counsel appearing then was not equipped with necessary information. Therefore, he took this Court through the memo of application, more particularly para 34 and would submit that out of seven crimes, applicant is already acquitted in four cases, one is dismissed against him and in two cases, he is released on bail. Lastly he submitted that, going by the nature of allegations, custodial interrogation is not necessary, moreover when the applicant is ready to co-operate with the investigating machinery.

3. Learned APP has strongly opposed on the ground that, there are allegations of committing theft of gold coins and even cash. Details are reflected in the FIR apart from naming applicant. Learned APP pointed out that present application is second attempt and previous

Anticipatory Bail Application of the present applicant was rejected. Therefore, for effective investigation, present application is also sought to be rejected.

4. Perused the FIR dated 12.11.2022. Apparently, crime is registered against 11 persons alleging forced entry in the premises and taking away record, valuables, electronic systems and 9 grams as well as 120 grams gold and silver coins respectively. According to the complainant, he is conducting business of trading and services in a premises which he allegedly took on rent in 2016. He has reported that on 31.10.2022, in his absence, while watchman was posted, seven named persons, and rest unknown persons forced entry in the premises and took away office articles stated above.

5. Learned APP has emphasized that applicant has criminal antecedents. As stated above, this Court has, by order dated 08.02.2023, granted anticipatory bail to only applicant nos. 2 and 3 therein and as regards to present applicant (applicant no.1 therein) is concerned, making observations in para 9, this Court has already rejected his application for anticipatory bail. Mere failure to point out that applicant has been acquitted in other cases and is released on bail in some of the cases is no good ground, more particularly going

by the strength of crimes registered against present applicant. For the same reason, this Court is not inclined to extend protection as prayed.

Hence, the following order :

ORDER

The Anticipatory Bail Application is rejected.

[ABHAY S. WAGHWASE, J.]

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