

**ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION  
NO. 183 OF 2022**

{Bharat Mahesh Salunke Vs. The State of Maharashtra through  
Adgaon Police Station}

This is an application under section 438 of the Criminal Procedure Code, 1973 for grant of anticipatory bail in crime no. 25 of 2022 registered with Adgaon Police Station under sections 420, 406, 465, 468, 471 of the I. P. C.

02] The applicant contended that under grudge, the complainant has filed this application. The complainant has misused the provisions of law and filed false case. He has never given the said car in his possession and he has not misappropriated it. He has no criminal antecedent and has good reputation. His custodial interrogation is not required. He is read to abide by any conditions imposed by the court. He has prayed for grant of anticipatory bail.

03] APP filed say at Ex. 05 and I. O. filed say at Ex. 06. They have stated that the offence is of serious nature. The accused misappropriated the said car of lacs of rupees. The same is to be recovered from him. His custodial interrogation is required. If he is released on bail, he may threat the complainant and the prosecution witnesses. They have prayed for rejection of bail.

04] Heard the learned counsel for the accused and learned APP. They have argued as per the above stand taken.

05] I have gone through application, say, arguments and Police papers. Already court has granted ad-interim bail and it was not jumped by the accused. The accused filed pursis along with the complainant that their matter is settled outside the court. This is not ground to grant bail to the accused. At the most, it can be inferred that the complainant is not under any threat and the apprehension of

I. O. regarding the same appears to be not correct. Only for the purpose of recovery of vehicle, the anticipatory bail can not be rejected. Conditions as to attendance of the accused can be imposed and his presence can be secured. On suitable terms and conditions, the accused is entitled for anticipatory bail. Hence, the following order.

**ORDER**

- 01] Application for anticipatory bail is allowed on the same terms and conditions as given below Ex. 4 i.e. interim bail order and interim anticipatory bail is hereby confirmed.
- 02] The applicant should attend the Police station in between 11.00 a. m. to 02.00 p. m. from dated 18.02.2022 and 19.02.2022 and help the police in investigation.
- 03] Inform the concerned Police station accordingly.

Date : 15.02.2022

(R. R. Rathi)  
Additional Sessions Judge-5,  
Nashik.