

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 3339 OF 2005

Bharat Gulabrai Mansinghani ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr. Arvind Tiwari with Mr. Abhay P. Pande, for
the Applicant.

...

CORAM : A.M.KHANWILKAR, J.

VACATION JUDGE

30th May 2005

P.C.:

. Heard Counsel for the parties. Perused
the record. As the Applicant is owner of the
concerned Petrol Pump and there is material on
record to indicate complicity of the Applicant in
the commission of the crime, which is a serious
one, not a case for anticipatory bail.

. To get over this position, Counsel for the Applicant contends that the capacity of the underground diesel tank is only 40 KL and at the relevant time, the Applicant was already having diesel stock to the extent of 35 KL - in which case the question of utilising the theft material so as to store in the said tank did not arise. These questions cannot be gone into for the present, as it is only an anticipatory bail application. In view of the seriousness of the offence and material to indicate involvement of the Applicant, being owner of the subject petrol pump, not a case for anticipatory bail. Prayer for anticipatory bail is rejected.

. Applicant is, however, granted time to surrender till Friday, 3rd June 2005, to apply for regular bail before the appropriate Court, if so advised. Till such time, the Applicant shall report to the concerned police station daily between 2 p.m. to 6 p.m. and co-operate for the purpose of investigation in all respects.

. Needless to observe that the lower Court will consider all aspects of the matter afresh

while considering prayer for bail as and when
moved by the Applicant.