

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.124 OF 2015

Mohammad Jadebul Hoque
s/o. Abdul Rouf and Another ...Applicants
vs.
State of Maharashtra ...Respondent

Mr. Milind Dhande, Advocate for the Applicants
Mrs. A.A. Mane, APP for the State.

CORAM : P.D. KODE, J.

DATE : JANUARY 28, 2015

P.C.

. The learned counsel for the applicants has submitted that instead of pressing an application for pre arrest bail, he is making limited request for granting reasonable time to the applicants to surrender before the trial/remand Court and pray for bail and giving proper direction to the J.M.F.C. to decide the application for bail at the earliest preferably on the same day.

2. It is submitted that most of the offences against the applicants are bailable. The alleged antecedents referred in an order passed by the Court of Session are a stale incidents sufficient enough to deprive him the relief of pre arrest bail in the matters in which he is falsely implicated and/or for which his custodial interrogation is not necessary. It is submitted that the applicants are originally resident of Assam.

3. The request being made for surrendering before the Court of Law which would facilitate earlier completion of investigation of crime in question, request deserves consideration. It deserves consideration accordingly as the order passed by the Court of Session also do not give clue about the material so far collected against the applicants.

4. As informed the applicants to surrender before the trial/remand Court on or before 06-02-

2015 by 11.00 a.m. In the meanwhile, the applicants not to indulge in any activity of tampering the prosecution evidence and/or not to indulge in any activity of coercing, threatening and pressuring the prosecution witnesses and not to misuse the protection granted by this order for fleeing away or for any other oblique purpose and the applicants to make sincere and honest efforts to come to Bombay and attend the investigating officer thereafter everyday in between 3.00 pm to 5.00 pm.

5. In the said premises, the investigating officer of C.R. No. C-7/2014-15 of Sahar police station registered for the offences punishable under sections 41, 42, 65(A) of Forest Act, 1927 and the Rule 31 and 82 of Maharashtra Forest Rules, 2014 not to take coercive steps of arrest against the applicants upto 06-02-2015 by 11.00 a.m.

6. In event of the applicants preferring an application for bail after surrender, the trial

Court to decide the said application in accordance with law at the earliest and preferably on the same day subject to 24 hours advance copy of the same with express stipulation of the date and time of surrender being served on other side.

Application stands disposed of.

(P.D. KODE, J.)