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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.381 OF 2015

Habeeb Osman Bin Jilani alias Osman Pehlwan	...	Applicant
V/s.		
The State of Maharashtra and Anr	...	Respondents

Ms.Neha Bhide, for the Applicant.

Mr.S.H.Yadav, APP for the Respondent – State.

Mr.Habeeb Osman Bin Jilani @ Osman Pehlwan, Applicant in person present.

Mr.Akshay Patil, for the Intervener.

CORAM : REVATI MOHITE DERE, J.

DATED : 6th MAY, 2015.

PC.

1. Heard the learned counsel for the Applicant, learned counsel for the Intervener and the learned APP for the State.

2. By this application, the Applicant seeks pre-arrest bail in connection with C.R.No.14 of 2014 registered with the Dongri Police Station, Mumbai, for the alleged offences punishable under Sections 406, 420, r/w Section 34 of the Indian Penal Code.

3. Ms.Bhide, at the outset, on the instructions of the applicant, who is present in Court, states that the applicant does not wish to pursue this application on merits. She states that the applicant is ready to pay an amount of Rs.7,70,000/- to the complainant on or before 30th May, 2015, by way of a pay order/banker's cheque/demand draft. The applicant who is present in Court, undertakes to pay the aforesaid amount on or before 30th May, 2015 to the complainant.

4. Learned Counsel, on the instructions of the applicant, who is present in Court, states that the applicant will not seek any further extension, nor will he contest the said application, on merits.

5. The learned counsel for the complainant/intervener has no objection for allowing this application, only in view of the undertaking given by the applicant to pay the amount to the complainant.

6. In view of the aforesaid, the Applicant is enlarged on pre-arrest bail on the following terms and conditions ;

ORDER

i) In the event of arrest, the Applicant be enlarged on bail

on furnishing PR. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount ;

- ii) The Applicant shall attend the Dongri Police Station, Mumbai, once a fortnight i.e on 1st and 3rd Saturday of every month between 10.00 a.m. to 12.00 noon, till the 30th May, 2015 ;
- iii) On payment of the aforesaid amount to the complainant, a copy thereof be submitted to the Registry of this Court to ensure compliance of the aforesaid order.

7. It is made clear, that if the aforesaid amount is not paid to the complainant, on or before 30th May, 2015, the protection granted to the applicant shall forthwith stand vacated and the applicant's application for anticipatory bail shall be deemed to have been rejected, without further reference to the Court.

8. The Application is allowed and disposed of in above terms.

9. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)