

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 818 OF 2015

Mr. Ismail S/o. Mehmoob Sayyed	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr.A.M.Saraogi, Advocate,for the applicant.
Ms. Rutuja Ambekar, APP, for the State

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 2nd July, 2015.

P.C.

Heard. This is an application under Section 438 of Cr.P.C. The applicant herein is apprehending his arrest in Crime No.249 of 2014 registered at Basant Park (Chembur) Police Station for the offences punishable under Sections 420 read with Section 34 of IPC.

2. The applicant had approached the Court of Sessions seeking pre-arrest bail in the year 2014. By an order dated 30.5.2014, the learned Addl. Sessions Judge had directed the Investigating Officer to give 48 hours' notice to the applicant prior to his arrest. The application was disposed of.

3. The Senior Inspector of Police of Chembur Police Station had requested the officer in charge of Aurad Police Station, Dist. Bidar, Karnataka State that the present applicant is wanted in Crime No.249 of 2014 registered at Chembur Police Station and in the eventuality that the applicant is traced, he shall be detained and the information be relegated to Chembur Police Station. It is pertinent to note that the police personnel of Chembur Police Station had made several visits to serve a 48 hours notice upon the applicant, but to no avail as his permanent address is not known. It appears that the applicant is absconding.

4. The learned counsel for the applicant has fairly submitted that the applicant was not even arrested in the offence registered against him at Aurad Police Station. The whereabouts of the applicant are not known. There is no impugned order which may be challenged before this Court under Section 438 of Cr.P.C. In view of this, the applicant does not deserve the discretionary relief in the nature of pre-arrest bail.

5. Hence, the application being sans merits, stands rejected.

(SMT.SADHANA S.JADHAV, J.)