

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.931 OF 2015

Shivajirao G. Patil & Ors.

... Applicants

Vs.

The State of Maharashtra

... Respondent

Mr.P.M. Jadhav for the Applicants

Mr.D.P. Adsule, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JULY 3, 2015**

P.C.:

1. The application is moved for pre-arrest bail on an apprehension that the police are likely to register and arrest the applicant/accused for offences punishable under the provisions of Employees State Insurance Act.
2. Perused exhibit A at page 9. It is a letter written by the Police Inspector dated 30.6.2015 calling the applicants/accused to furnish a list of the workers and their salaries so also giving details in respect of ESI contributions.
3. It appears that the offences under the Employees State Insurance Act are bailable. If it is so, and the apprehension is only registration of an offence under the Employees State Insurance Act, I do not think this

application can be entertained under section 438 of the Criminal Procedure Code. However, if the police are going to register any non-bailable offences against the applicants/accused, they are directed to give 72 hours prior notice to the applicants/accused.

4. Anticipatory Bail Application is disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)