

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 951 OF 2015

Shaikh Ayyub s/o. Shaikh Gafoor & Anr. ... Applicants
Vs.
The State of Maharashtra ... Respondent

Mr. Javed R. Shaikh, Advocate i/b. Mr. Sudhir I. Nandode for the applicant.
Mr. S.S. Pednekar, APP for the respondent/State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE : **JULY 7, 2015**

P.C.:

This Application is moved for pre-arrest bail, as the applicant/accused is facing charges under sections 420, 468, 471 of the Indian Penal Code in C.R. No. I-11 of 2015 registered with Azad Nagar Police Station, Malegaon, District Nashik.

2. My attention is drawn to the order dated 6th April, 2015 passed by the Additional Sessions Judge, Malegaon granting interim pre-arrest bail to the applicant/accused on certain conditions. One of the conditions was to deposit Rs.3,50,000/- on or before the next date, which was on 18th April, 2015. The learned Judge rejected the Application on 18th April, 2015 on the ground of non-compliance of the conditions.

3. The learned Judge should have heard the Application and decided it

on merit with reasoned order. Non-compliance especially of failure to deposit an amount of Rs.3,50,000/- which is alleged to be due, cannot be a ground to reject the Application. Hence, the matter is remanded back to the Sessions Court. Interim protection granted by the Sessions Court to continue till the Application is heard finally. The Application is to be heard within two weeks from today, i.e. till 22nd July, 2015.

4. Anticipatory Bail Application is disposed of.

(MRS.MRIDULA BHATKAR, J.)