

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
ANTICIPATORY BAIL APPLICATION NO.1649 OF 2014

Ahmed Husain Hayatulla Choudhry ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. R.A. Shaikh i/b Mr. M.M. Khan for the Applicant.
Ms A.T. Javeri, APP, for the Respondent State.
Mr. Jaisingh Shivram Nale, Police Sub Inspector,
Boisar Police Station, present.

CORAM: P.D. KODE, J.

DATED: JANUARY 16, 2015.

PC:

1. Heard. Application for pre-arrest bail in connection with Crime No.178 of 2014 for offence in question was registered with Boisar Police Station upon FIR lodged by one Anshuman Goswami, one contractor regarding theft of 60 HDPE pipes. The police during the course of investigation had arrested in all seven accused one after another.

2. The Applicant has filed an affidavit stating that he has only acted as a commission agent for selling the said property to one Rehan Khan and has received a commission of rupees Six Thousand. It is submitted that the Applicant was then not aware that it was a stolen property. It is submitted that the Applicant is ready to cooperate with

the Court /investigation. It is thus, prayed that the prayer for pre-arrest bail be considered on terms and conditions deemed fit and proper by the Court. In the circumstances the application is disposed of with directions to Police to investigate the relevant aspect with the assistance and cooperation of all the accused and in event the investigating agency finds it that say of the Applicant is false then they would be at liberty to arrest the Applicant subject to giving 48 hours advance notice to him. However, in the meanwhile Applicant to stay at the address mentioned in the Application and attend the I.O. on every alternate day in between 4.00 p.m. to 6.00 p.m.

3. Affidavit tendered by the Applicant is taken on record and marked 'X' for identification.

4. The application stands disposed of.

(P.D. KODE, J.)