

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 31 OF 2016

Shahid Mumtaz Khan ..Applicant

v/s.

The State of Maharashtra. ..Respondents

Mr.Kamran Shaikh i/b. O.A.Siddiqui for the Applicant
Mrs. G.P.Mulekar, APP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : JANUARY 14, 2016.**

P.C.

1. By this application the applicant herein has sought to stay the order dated 8th January, 2016 passed by the Learned Sessions Judge at Thane on an application at Exhibit 30 filed in Anticipatory Bail Application No. 3283 of 2015.
2. Heard Mr. Shaikh, the learned counsel for the applicant and the learned APP for the State.
3. The applicant herein had filed an application for anticipatory bail. The record reveals that by order dated 30.12.2015 the

applicant was granted interim bail. The APP had filed application under Section 438(1)(B) seeking presence of the applicant at the final hearing of the application.

4. The learned Counsel for the applicant apprehends that in the event the application for anticipatory bail is finally rejected, he would be taken into custody and that the direction should be given to the prosecution to give him 72 hours notice. The apprehension is premature. Even otherwise, the applicant can file necessary application before the learned Judge to protect him by way of interim relief for the purpose of enabling him to approach the higher court.
5. The application is dismissed.
6. Parties to act on the authenticated copy of the order.

(ANUJA PRABHUDESSAI, J.)