

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 81 OF 2016

Mohd. Shabbir Mohd. Khatir Khan	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. H.P. Pandey, Advocate for the applicant.

Ms. P.P. Shinde, APP for the State.

Mr. Raju Ashok Chavan, P.S.I., Sakinaka Police Station present.

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

DATE: **1st April, 2016.**

P.C.:

This Application is moved for pre-arrest bail, as the applicant/accused is facing charges under sections 135 and 150 of Indian Electricity Act, 2003 in C.R. No. 203 of 2015 registered with Sakinaka Police Station, Mumbai on 10th August, 2015 at the instance of Ramchandra Janashankar Chivukula, Officer working at Reliance Infrastructure Ltd.

2. It is the case of the prosecution that the applicant/accused is the owner of the premises and the said premises was let out to Mahendra Singh Bhuvra and there is a theft of electricity valuing to Rs.21,44,773/-.

3. The learned counsel for the applicant/accused has submitted that the licensee has committed theft and he, being the owner of the premises, is held responsible. The learned counsel submitted that the applicant has already deposited Rs.12,10,000/- and he is ready to deposit Rs.9,32,000/-.

The licensee is the co-accused who is granted pre-arrest bail.

4. Learned APP opposed the Application.
5. Perused the FIR. Considered the submissions of learned counsel for both the sides. As 60% of the amount is deposited and the applicant/accused is the owner and licensee has committed theft, I am inclined to grant pre-arrest bail to the applicant/accused on the following terms and conditions:

ORDER

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
 - ii) The applicant/accused shall not pressurize the complainant;
 - iii) The applicant/accused shall not indulge into any criminal activity while on bail;
 - iv) The applicant shall cooperate the Investigating officer and shall attend the concerned police station on every Tuesday between 6 p.m. to 7 p.m. till 26th April, 2016.
6. The Application stands disposed of on above terms.

(MRIDULA BHATKAR, J.)