

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.816 OF 2016

Vivek Atmaram Keluskar & anr.

... Applicants

Vs.

The State of Maharashtra

... Respondent

Mr.Sujit Pathak a/w Deepak Sharma for the Applicants

Mr.S.H. Yadav, APP, for Respondent – State

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

DATE: **MAY 5, 2016**

P.C.:

1. This application is moved for pre-arrest bail as both the applicants-accused are facing charges under sections 420 and 34 of the Indian Penal Code in C.R. No.159 of 2016 at Virar police station, Palghar. On perusal of the order of the learned Sessions Judge, it appears that the Investigating Officer tried to serve the notice under section 41 of the Code of Criminal Procedure but it could not be served as the applicants-accused were not found in their house.

2. Under such circumstances, the Investigating Officer is directed to give a fresh notice under section 41 by tomorrow. The applicants-accused are directed to attend the police station tomorrow at 11am. In the event the police decides to arrest the applicant-accused, they shall give a 72 hours prior notice to the applicants.

3. The Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)