

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.699 OF 2015

Hetal Vinod Shah

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Sanjeev Kadam h/f Shri B.L. Jagtap for the Applicant

Ms.S.S. Kaushik, APP, for Respondent – State

Mr.N.R. Phulpagar, PSI, Malad police station – present

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

DATE: **MARCH 7, 2016**

P.C.:

1. This is an application for pre-arrest bail as the applicant-accused is facing charges under sections 419, 420, 465, 468, 471 r/w 34 of the Indian Penal Code and also under sections 4, 5, 12(a) of Gambling (Prevention) Act, 1887 and section 66(a) of the Information Technology Act, 2000 in relation to C.R. No.50 of 2015 registered at Malad police station. The FIR was registered at the instance of Sachin Raut, police officer, who gave information on 30.1.2015 against three accused Nos.1, 2 and 3 whereafter subsequently, the applicant-accused was added. It is the case of the prosecution that the police had received information that accused Nos.1, 2 and 3 were gambling and were indulging in cricket betting and, therefore, the police laid trap and raided the premises i.e., one room at Bhadran Nagar, S.V. Road, behind N.L. College and had caught the applicant-

accused red handed. The police also seized a laptop and other articles which were used for the betting purpose. The offence is also registered against the applicant-accused that he was also involved and associated with the co-accused Nos.1, 2 and 3. The learned Counsel for the applicant-accused submitted that nothing is attributed against the present applicant-accused and he is not concerned with the applicant-accused Nos.1, 2 and 3, who are the main culprits in this matter.

2. Learned Prosecutor has submitted that the police have investigated the matter and have seized the articles and have taken accused Nos.1, 2 and 3 into custody and the Investigating Officer does not want custody of the present applicant-accused. Hence, I allow this application on the following terms:

- i) In the event of arrest, the applicant-accused be released on bail upon furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty five thousand only).
- ii) The applicant-accused shall cooperate with the Investigating Officer.

3. Anticipatory Bail Application is disposed of accordingly.

(MRIDULA BHATKAR, J.)