

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

ANTICIPATORY BAIL APPLICATION NO. 221 OF 2017

Rakesh Ashokumar Tripathi Vs. The State of Maharashtra

**Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.**

Court's or Judge's orders

Mr. Niranjana Mundargi i/b Mr. Laxmikant M. Shukla for applicant.
Mrs. P.P. Shinde, APP for State.
Mr. Kadam K.J., P.S.I., Santacruz Police Station present.

CORAM : A.S. GADKARI, J.
DATE : 3rd April 2017.

P.C.:

- 1] By an Order dated 9th February 2017 the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates and to co-operate in the process of investigation.
- 2] The Investigating Officer who is present in the Court through the learned APP has tendered before me the record of investigation.
- 3] I have perused the record pertaining to the present application. The record reveals that the applicant is the representative of Abdul Mohd. Rashid. Abdul Rashid is the owner of the said premises wherein the "Star Night Restaurant and Bar" situated at Santacruz (West), Mumbai was being conducted by one Satyam Dube, Manager of the said Bar. At the time of conducting raid by the police, the applicant was not present at the said spot. It is further revealed during the course

of investigation that the said Abdul Rashid has executed a power of attorney in favour of one Ashok Rai. It is also revealed that the applicant is the co-conductor of the said Bar with Ashok Rai. It clearly appears from the record that the applicant is the representative of the said Abdul Rahid and has nothing to do with direct conduction of the said Restaurant and Bar wherein the alleged offence has taken place.

4] In view of the above, the applicant has made out a case for grant of pre-arrest bail. Hence, the interim relief granted by Order dated 9th February 2017 is hereby confirmed.

5] The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)