

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

ANTICIPATORY BAIL APPLICATION NO.371 OF 2017

Rohit Sham Rathod

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Ritesh Thobde for the Applicant

Mr.Y.M. Nakhwa, APP, for Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: MARCH 7, 2017

P.C. :

1. This application is filed by the applicant/accused for pre-arrest bail as the applicant/accused apprehends arrest in C.R. No.419 of 2015 registered with Vijapur Naka Police Station, District Solapur, for the offences punishable under sections 420, 406 r/w section 34 of the Indian Penal Code. The complaint was filed by one Pramod Shinde on 30.12.2015.

2. At the outset, the learned Prosecutor produced a photocopy of the proclamation issued on 6.2.2017 under section 82 of the Criminal Procedure Code by the learned JMFC, Court No.2, Solapur. In the case of **Lavesh vs. State (NCT of Delhi)**¹, it is

¹ (2012) 8 SCC 730

held that when an offender is proclaimed in terms of section 82 of Criminal Procedure Code, he is not entitled to the relief of anticipatory bail.

3. In such circumstances, the Anticipatory Bail Application is rejected.

(MRIDULA BHATKAR, J.)