

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 382 OF 2017

Abhik Ghosh

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Maitreya G. Shukla Advocate for the Applicant.

Mr. M. G. Patil APP for the State.

Mr. Mudiraj, API, M.I.D.C. Police Station.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 1st MARCH, 2017.

PC :

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicant herein is apprehending his arrest in crime no. 37 of 2017 registered at M.I.D.C. Police Station, Mumbai on 24/01/2017 for offence punishable under section 509 r/w 34 of the Indian Penal Code and section 67 of the Information Technology Act, 2005.

2) The learned APP, upon instructions and in the presence of the Investigating Officer fairly makes a statement that this may not be a case of custodial interrogation, suffice it to say that applicant would co-operate with

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the investigating agency.

3) In view of this, application seeking pre-arrest bail deserves to be allowed only upon the statement of the Investigating Officer that the custodial interrogation is not imperative.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest, applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more local solvent sureties in the like amount.
- (iii) Applicant shall report to the concerned police station as and when called, after issuing a notice under section 160 of Code of Criminal Procedure, 1973.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)