

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 390 OF 2017

Govind Arun Ahuja @ Govinda

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Amogh Singh i/b Mr. D. P. Singh Advocate for the Applicant.

Ms. P. P. Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 3rd MARCH, 2017.

PC :

1) Heard. This is an application seeking transit bail in PCR No. 52 of 1997 registered at Pakur District at Jharkhand.

2) The learned counsel for the applicant upon instructions submits that the applicant had no knowledge of the registration of the offence and that it cannot be said that the applicant is absconding. The complainant has alleged that applicant has committed an offence under section 294, 500 & 502 of the Indian Penal Code. Applicant happens to be a film star who is permanent

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resident of Mumbai. Applicant was playing lead role in the movie 'Chote Sarkar'. Complainant had objections to a song which according to the complainant was obscene. It appears that the proclamation is issued against the lyricist and the singers of the said song along with present applicant.

3) The learned APP submits that a proclamation has been issued on 06/02/2017 and the next scheduled date before the Chief Judicial Magistrate Pakur is 06/03/2017.

4) The learned counsel for the applicant submits that the applicant desires to co-operate with the proceedings of the Court and hence, he be protected for a limited period in order to reach Pakur, District : Jharkhand.

5) Taking into consideration the fact that the complaint is of the year 1997, applicant was not in receipt of any non-bailable warrant and also had no knowledge that a proclamation has been issued. However, on 27/02/2017, police had been to the house of the present applicant to arrest him and therefore, applicant was constrained to move this Court for seeking transit

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bail. In view of this, applicant deserves to be granted transit bail.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest in PCR 52 OF 1997 pending before the Chief Judicial Magistrate, Pakur, applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.
- (iii) Protection shall remain in force for a period of 4 weeks from today.
- (iv) Parties to act on authenticated copy of this order.
- (v) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)