

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

CRI. ANTICIPATORY BAIL APPLICATION NO.847 OF 2017

Sharad Santprasad Singh & Anr. .. Applicants

Vs.

Th State of Maharashtra & Anr. .. Respondents

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Mr.Ujjwal G. i/b. Mr.Rishi Bhuta, Advocate for the Applicants.
Mr.R.M. Pethe, APP for the Respondent – State.
API Khandvi, Amboli Police Station, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 22, 2017.

P.C. :

This is an application for anticipatory bail in connection with M.E.C.R. No.3 of 2012, registered with Amboli Police Station for the offences punishable under Sections 381 and 427 read with Section 34 of the IPC and Sections 43(b)(d)(d)(f) and 65 of Information Technology Act, 2005. The applicant had earlier preferred an application before the Sessions Court which was disposed of vide order dated 5th April, 2013. The Sessions Court had directed in the said order that if the police intends to arrest the applicant, 72 hours prior notice be given to him. No such notice was given to the applicant. The investigating agency,

however, has filed a charge-sheet and a summons has been issued to the applicant.

2 The applicant apprehend that if he appears before the trial Court without any protection, he will be taken into custody. He, therefore, approached the Sessions Court which application has been rejected vide order dated 18th April, 2017.

3 The dispute in the complaint relates to theft of data from the computer. Several proceedings are initiated by the complainant. In view of the aforesaid circumstances, the application can be allowed;

4 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.847 of 2017 is allowed;
- (ii) Interim order dated 5th May, 2017 is confirmed;
- (iii) Anticipatory Bail Application is disposed of accordingly.

(PRAKASH D. NAIK, J.)