

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1914 OF 2017

Harji Patel	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Himanshu S.Shinde for the applicant.
Mr. S.V.Gavand,APP for the State.

CORAM: A.M. BADAR, J.
DATED: 6th NOVEMBER, 2017

PC:-

1. The applicant/accused in Crime No.15 of 2008 for the offences punishable under Sections 51, 52(a),63,68(a) of the Copy Right Act-1957, registered with Versova Police station, by this application is seeking his pre-arrest bail.

2. Heard the learned advocate for the applicant/accused as well as the learned APP for the State. The learned advocate for the applicant/accused submits that the applicant is residing at the address given in the application right from the year- 2008. He was not apprehended by the investigators.

The charge sheet in this crime registered in the year-2008 is already filed against one of the accused and as the investigation of the crime in question is over long back. No purpose would be served by causing arrest of the present applicant.

3. The learned APP opposed the application by contending that the applicant was not available for arrest and he was absconding and hence the charge sheet is filed against co-accused.

4. I have considered the rival submission and also perused the papers of the investigation. Allegations against the accused persons are to the effect that co-accused Dilip was found in possession of several CDs of games of play Station -2. According to the prosecution case, the present applicant is owner of the shop where those CDs were found.

5. It is seen that the charge sheet against the co-accused is already been filed long back in the year- 2008. In this view of the matter, considering the nature of the evidence against the present applicant, the following order.

ORDER

i) In the event of his arrest in Crime No.15 of 2008 for the offences punishable under Sections 51, 52(a), 63, 68(a) of the Copy right Act-1957 registered with Versova Police station, the applicant/accused be released on bail on executing P.R. Bond of Rs.15,000/- and on furnishing surety in the like amount.

ii) As a condition of this order the applicant should attend the concern police station on every Saturday in between 11.00 a.m. to 2.00 p.m. till filing of the charge sheet and he should co-operate the investigators in investigation of the crime in question.

iii) As a condition of this order, the the applicant / accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.

iv) The application is disposed of accordingly.

(A.M. BADAR, J)