

*Nalawade*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.337 OF 2018
Kayyum Marafat Manihar and ors. vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. E. Kennedu Braganza i/by Akshita Prajaparti for the Applicant.

Smt. J.S. Lohokare, APP for the Respondent-State.

Ms. Sarala Thorat, PSI. Kurar Police Station present.

CORAM : A.S.GADKARI, J.

DATE : 6th June, 2018

P.C.

1. By a reasoned Order dated 23.2.2018 the applicant was granted interim relief.
2. Heard the learned counsel for the applicant and the learned APP for the State. Perused the record.
3. The record indicates that, on the alleged date of incident when the first informant was driven away from her matrimonial house the applicant No.1 was not in Mumbai and was at Kuwait attending his job. It prima facie appears from the record that the allegations of retaining of

jewelery by applicant No.1 is an exaggerated version of the first informant. In view of the ratio laid down by the Supreme Court in the case of Arnesh Kumar vs. State of Bihar and anr. reported in (2014) 8 SCC 273 the applicants are entitled to be protected by pre-arrest bail.

4. In view of the above, the interim relief granted by Order dated 23.2.2018 is hereby confirmed. However, the condition to attend the Investigating Officer is waived.

5. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)