

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 395 OF 2018

Mulla Abbas Zoherbhai & Anr.

....Applicants.

Vs.

The State of Maharashtra

....Respondent.

Mr. Shirish Gupte, Senior Advocate with Karl Rustomkhan i/by P.M. Rustomkhan for the Applicant.

Smt. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 13th JUNE, 2018.

P.C.:-

By an Order dated 1st March 2018, the Applicant was granted interim relief.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the record.

3 The first information report is lodged by Shri Hussain Kutubuddin alleging that on 18th October 2015, he received email and through the said email a threat to his life was allegedly extended by the Applicant over the dispute of a '*Dargah*' situated at Bhendi Bazaar, Mumbai. Prima faice, it appears that the Application of Section 506(II) of the Indian Penal Code to the present crime is misplaced.

4 In view thereof, the Applicant is entitled to be protected by pre arrest bail.

Interim relief granted by Order dated 1st March 2018 is hereby confirmed.

5 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)