

Dond

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

ANTICIPATORY BAIL APPLICATION NO. 707 OF 2018

Sameer Alauddin Shaikh

..Applicant

Vs

The State of Maharashtra

..Respondent

Mr. Salman Khan for applicant.

Ms. Rutuja Ambekar, APP for State.

Mr. S.V. Marwadi for first informant.

CORAM : A.S.GADKARI, J.

DATE : 20th July 2018.

P.C.:

1] By an Order dated 11th April 2018, the applicant was granted interim relief.

2] Heard the learned Counsel for the applicant, the learned Counsel for the first informant and the learned APP. Perused the record.

3] The first information report is lodged by Shri Kailash Patil, Assistant General Manager of electricity providing Company namely Torrent Power Ltd. It is the case of the prosecution that, the applicant along with other two accused namely Parvez Ibrahim and Badruddin Ansari moved nut-bolts fixed to the cover of mini section pillar situated at Amin

Compound, Khoni, Taluka Bhiwandi, District Thane and tampered with the electricity meter and took illegal electricity supply for their personal benefit. It is the precise allegation of the informant that, when the officers of the said Company were at the site for inspection, the applicant threatened them of dire-consequences and also abused and assaulted the said officers.

4] The learned Counsel for the applicant submitted that, co-accused Badruddin Ansari was arrested by the police and has been released on bail by the Trial Court. He submitted that, other accused namely Parvez Ibrahim has been granted pre-arrest bail by the Sessions Court. He therefore submitted that the custody of the applicant is not necessary and may be granted pre-arrest bail.

5] Perusal of the first information report would indicate that, it is the applicant who obstructed the officers of the electricity providing Company who were performing their lawful duties. He also abused and assaulted them. The record of investigation indicates that, the applicant along with co-accused caused damage to the mini section pillar and tampered with the electricity meter and drew illegal electricity for their personal benefit.

6] After perusing the record of investigation and after taking into consideration the serious allegations against the applicant and the gravity of offence, this Court is of the considered view that the applicant does not deserve to be protected by pre-arrest bail.

7] Application is accordingly rejected.

(A.S.GADKARI, J.)