

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1180 OF 2018

Naeem Salam Ansari Alias Naeem ShethApplicant.

Vs.

The State of MaharashtraRespondent.

Mr. Sachin Punde for the Applicant.

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

Mr. D.T. Bhande, PSI, Nizampura Police Station.

CORAM : A. S. GADKARI, J.

DATE : 29th JUNE, 2018.

P.C.:-

The Applicant is apprehending arrest in CR No.II-53 of 2016 dated 18th July, 2016, registered with Nizampura Police Station, Bhiwandi, under Section 138 of the Electricity Act, 2003, Section 427 of Indian Penal Code and Section 3 of Prevention of Damage to Public Property Act, 1984.

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

3 The learned counsel for the Applicant submitted that, after lodgment of the present crime, the Applicant has paid the entire amount demanded by the Electricity Company along with

compounded interest and therefore, the custody of the Applicant is not necessary.

4 The learned APP, on instructions from Mr. Bhande, PSI, Nizampura Police Station, Bhiwandi, who is present in the Court conceded to the facts situation.

5 After perusing the record, this Court is of the view that, the custodial interrogation of the present Applicant for further investigation is not necessary and the Applicant can be protected by pre arrest bail.

6 Hence, the following order-

- a) In the event of arrest in CR No.II-53 of 2016 dated 18th July, 2016, registered with Nizampura Police Station, Bhiwandi, the Applicant shall be released on bail on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) After release from Jail, the Applicant shall attend the Investigating Officer as and when called for between 11.00 a.m. and 1.00 p.m. upon receipt of

a notice under Section 160 of the Code of Criminal Procedure, till the filing of final report.

- c) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

7 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)