

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

ANTICIPATORY BAIL APPLICATION NO. 729 OF 2019

Ankush Shivaji Mahanavar	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Viresh V. Purwant for the Applicant.
Mr. A.R. Kapadnis, A.P.P. for the Respondent – State.
Mr. P.P. Surve, P.S.I. Malshiras Police Station, present.

CORAM : P.N. DESHMUKH, J.

DATED : 26th MARCH, 2019.

P.C. :

1 Issue notice. Learned A.P.P. waives service of notice for Respondent-State. Investigating Officer present.

2 This application is for anticipatory bail for the offence punishable under Section 354D of I.P.C. and Section 67 of Information and Technology Act, 2000 which admittedly are bailable.

3 In that view of the matter, application, on the face of it does not appear to be tenable, however, learned Counsel for the applicant had submitted that present application is required to be filed as the learned Additional Sessions Judge without considering said fact, considered the

application filed for anticipatory bail and rejected the same, due to which applicant is apprehending his arrest.

4 Learned A.P.P., on instructions, submits that custodial interrogation of applicant is necessary. In view of the fact that applicant's involvement is in the bailable offences, application is liable to be allowed by issuing following order :-

ORDER

i) Applicant is directed to attend Investigating Officer and shall co-operate with investigation and on applicant's appearing before the trial Court of competent jurisdiction, he shall be released on bail in accordance to the provisions of Section 436 of Cr.P.C.

Application is allowed in above terms.

(P.N. DESHMUKH, J.)