

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

A.B.APPLICATION NO.181 OF 2019

Mohammed Arif Bilal Ahmad Shaikh .. Applicant
Versus
State of Maharashtra .. Respondent

Mr. Abdul Hafeez with M.H.Choudhary Kotwala I/b. Sumaira Legal Associates for applicant
Ms. A.A.Takalkar, APP for State
Mr. D.C.Keni, PSI, Bhiwandi City Police Statio.

CORAM : PRAKASH .D.NAIK , J.

DATE : 23rd January 2019.

P.C.

This is an application for anticipatory bail in C.R.No.I-401 of 2018, registered with Bhivandi city police station for offences under sections 454, 457, 380 read with 34 I.P.C.

2] The case of prosecution is that the accused had committed robbery in the office of the complainant with regard to the articles mentioned in the F.I.R. and cash amount of Rs.2,67,155/- was stolen. In pursuance to the F.I.R. co-accused were arrested. It is further the case that the name of applicant was revealed during

interrogation of the arrested accused.

3] On perusal of the application dated 21st December 2018, it is apparent that the accused were arrested and they stated during the course of investigation that the cash amount was either spent by the said accused or that it is given to co-accused Danish. On perusal of the remand application dated 21st December 2018, it is also apparent that the accused have not stated that any amount is parted with the applicant. The accused Ishaq Dost Mohammed Shah, who was arrested and who is attributed with overt act has been granted bail by the trial court.

4] Considering the aforesaid circumstances, no case for custodial interrogation is made out and hence, this application is required to be allowed. Hence, following order:-

(a) A.B.Application No.181 of 2019 is allowed;

(b) In the event of arrest of applicant in connection with C.R.No.I-401 of 2018 registered with Bhivandi City police station,

the applicant shall be released on bail on his furnishing P.R.Bond in the sum of Rs.25,000/- with one or more sureties;

(c) The applicant shall attend I.O. on 29th, 30th and 31st January 2019 between 11.00 a.m. and 1.00 p.m.

(PRAKASH D.NAIK, J.)