

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

CRIMINAL APPLICATION NO.161 OF 2019

IN

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.161 OF 2019

Nizar Noorali Ranagar & anr.

...Applicants

Versus

State of Maharashtra

...Respondent

Mr.Kamlesh Jain a/w. Mr.Sharad Goswami for the applicants.

Mrs.G.P. Mulekar, APP for the respondent – State.

CORAM : PRAKASH D. NAIK, J.

DATE : 1st FEBRUARY 2019

P.C. :

1. By this application, the applicants are seeking limited prayer of temporary protection in the event of arrest of applicants in view of of Non-Bailable warrant issued by the Court of Metropolitan Magistrate, 10th Court, Kolkata in Case No.C/5028/2013. The applicants are residents of Mumbai. Applicant no.3 is a senior citizen aged about 75 years.

2. The applicants had preferred Anticipatory Bail Application No.2681 of 2018 before this Court seeking similar relief and the protection was granted to the applicants till 15th January 2019 to enable them to approach the appropriate Court.

3. Learned Counsel for the applicants submitted that on account of several circumstances they could not approach the concerned Court seeking the relief in accordance with order dated 22nd December 2018. It is submitted that the applicants were arrested on execution of Non-Bailable warrant in another case. Applicant No.2 is required to be admitted in the hospital for serious ailments and that during the pendency of this application he has expired. It is noted that the proceedings are arising out of Section 138 of the Negotiable Instrument Act, 1881. One of the applicant is senior citizen aged about 75 years. Since applicant no.2 has passed away during the pendency of this application, the said applicant's name be deleted from the cause title of this application.

4. In the circumstances, I pass the following order;

ORDER

- (i) In the event of arrest of the applicants in connection with Non-Bailable Warrant issued by Metropolitan Magistrate 10th Court, Kolkata in Case No. C/5028/2013, the applicants be released on bail on their furnishing PR Bond in the sum of Rs.20,000/- each with one or more sureties in the like amount.
- (ii) This protection is granted till 1st March 2019.
- (iii) Criminal Application stands disposed.

[PRAKASH D. NAIK, J.]