

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
ANTICIPTORY BAIL APPLICATION NO. 380 OF 2019**

Adnan Nasim Bhabhe

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Nikhil Sonawane I/b Mr. Pranil K. Sonawane for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent-State

PSI Mr. Ravindra S. Avhad from Ganeshpuri Police Station, is present

**CORAM : REVATI MOHITE DERE, J.**  
**FRIDAY, 5<sup>th</sup> JULY 2019**

**P.C.**

1            Heard learned counsel for the parties.

2            By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-01 of 2019 registered with the Ganeshpuri Police Station, Thane, for the alleged offences punishable under Sections 407, 411 r/w 34 of the Indian Penal Code.

3            Perused the papers. According to the complainant, certain goods belonging to him were entrusted by him to his driver for delivering the same to Goregaon. It is alleged by the complainant that his driver tried

to misappropriate goods and sold the same to the applicant and another person at Mhapali Bhiwandi besides Sion Compound, Bhiwandi, District Thane. All the goods were lying on the spot and before the driver could give the goods to the applicant and another co-accused, the vehicle was intercepted.

4 Admittedly, no goods were parted with, by the complainant's driver to the applicant. The applicant was also not found at the place of the incident. The goods were seized by the police, before they could be handed over. Considering the aforesaid, custodial interrogation of the applicant is not necessary.

5 Accordingly, the interim order dated 13<sup>th</sup> February 2019 granted by this Court stands confirmed on the following terms and conditions :

### **ORDER**

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet;

(iii) The applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the investigating agency and the trial.

6 The application is accordingly disposed of.

7           It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8           All concerned to act on the authenticated copy of this order.

**REVATI MOHITE DERE, J.**