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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1437 OF 2018

Nasrinbanoo Nabi Ahmed & Ors.	..Applicants.
V/s.	
The State of Maharashtra	..Respondent.

ANTICIPATORY BAIL APPLICATION NO.1439 OF 2018

Nabi Ahmed Ahmedulla	..Applicant.
V/s.	
The State of Maharashtra	..Respondent.

MsAvanti Inamdar I/b. Rameshwar N.Gite for the applicant in both applications.

Ms.Veera Shinde, APP for the respondent-State in ABA/1437/2018.

Mr.N.B. Patil, APP for the respondent-State in ABA/1439/2018.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 11, 2019

P.C.:-

Heard learned counsel for the applicants and learned APP for the State.

2. In crime No.24/2018 for offence punishable under section 120B, 177, 181, 182, 191, 192, 193, 196, 199, 200, 465,

466, 468, 470, 471, 474 read with 34 of the Indian Penal Code registered with Killa police station, Malegaon District Nahik, the applicants are seeking pre-arrest bail.

3. Upon perusal of the complaint under section 156(3), what is noticed is that the entire offence is based on documentary evidence.

4. The business rivalry appears to be on the basis of preferring a complaint. In the aforesaid backdrop, the custodial interrogation of the applicants is not warranted.

5. The ad-interim order dated July 23 and 26, 2018 stand confirmed.

6. The accused Nabi Ahmed Ahmedulla is also permitted by this Court, if called upon by the investigating officer, to tender blood sample for carrying out DNA tests. An assurance is made that the applicant shall abide by the said condition. Statement is accepted as an undertaking.

7. The application is disposed of in above terms.

(NITIN W. SAMBRE, J.)