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

ANTICIPATORY BAIL APPLICATION NO. 1607 OF 2019

Iliyas Ahmed Abdul Gaffar Bagwan

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. Ammar Nizami i/b. Mr. P. Deshmukh, Advocate, for the Applicant
Ms Veera Shinde, APP, for the Respondent – State
Mr. B. N. Patil, PSI, Amboli Police Station, Mumbai present

CORAM : REVATI MOHITE DERE, J.

DATE : 28.08.2019

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. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C. R. No. 84 of 2019 registered with the Amboli Police Station, Mumbai for the alleged offences punishable under Sections 354, 354(C) and 354(D) of the Indian Penal Code.

3. Perused the papers. According to the Complainant, the Applicant and she was working in the same Company. The Complainant has alleged that the Applicant was stalking her continuously, sending her messages and sending her gifts as well as calling on her mobile, as a result of which, she was not comfortable.

4. Learned counsel for the Applicant on the last date tendered an Affidavit-cum-undertaking of the Applicant stating therein, that he will not indulge in any such acts. The said Affidavit-cum-undertaking was taken on record and marked as “X” for identification.

5. Considering the aforesaid, custody of the Applicant is not warranted. Accordingly, the Application is allowed and the order granting interim protection stands confirmed on the following terms & conditions :-

ORDER

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

(ii) The Applicant shall report to the investigating officer of the concerned police station **as & when called for** by the investigating officer;

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

(iv) The Applicant shall abide by the Affidavit-cum-undertaking given to this Court.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and are confined to this Application.

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

(REVATI MOHITE DERE, J.)