

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 1721 OF 2019**

1. Rehan Abdul Samad Khan

2. Zakir Shakir Khan

3. Mohammed Faisal Shaikh

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Adil Mirza i/b A. A. Mirza & Associates for the Applicants

Mr. A. A. Palkar, A.P.P for the Respondent-State

PSI Mr. Nilesh Pandit Patil from Powai Police Station, Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 6th AUGUST 2019

P.C.

1 Heard learned counsel for the parties.

2 By this application, the applicants seek pre-arrest bail in connection with C.R. No. 382 of 2019 registered with the Powai Police Station, Mumbai, for the alleged offences punishable under Sections 295 r/w 34 of the Indian Penal Code.

3 Perused the papers. The prosecution has alleged that the applicants demolished the *Chabeel/Panpoi* belonging to one Shahzad

Mohsin Khan at Ambedkar Nagar, Andheri, Mumbai, which contained the photograph of the image of *Mecca-Madina*. Learned counsel for the applicants submits that the said *Chabeel* was demolished pursuant to the 354 notice issued by the Mumbai Municipal Corporation by the Mumbai Municipal Corporation itself.

4 Learned A.P.P does not dispute the same.

5 Considering the aforesaid, in the peculiar facts of this case, custodial interrogation of the applicants is not warranted. Accordingly, the application is allowed and the applicants are granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.10,000/- each, with one or two sureties in the like amount ;

(ii) The applicants shall report to the Investigating Officer of the concerned Police Station on 13th and 14th August 2019 from 10:00 a.m. to 12:00 noon and thereafter, as and when called;

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

6 The application is accordingly disposed of.

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

REVATI MOHITE DERE, J.