

shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2036 OF 2019

Munna Gaffoor Shaikh	]	Applicant
Versus		
The State of Maharashtra	]	Respondent

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Mr. Pravartak Pathak i/b Tanvi Sangle, for the Applicant.

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

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CORAM : REVATI MOHITE DERE, J.

DATE : 17TH OCTOBER, 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.245 of 2019 registered with the Bangur Nagar Police Station, Mumbai for the alleged offences punishable under Sections 294, 114 r/w section 34 of the Indian Penal Code; under section 3 (8) (1) (2) (4) of the Maharashtra Prohibition of Obscene Dance in Hotels,

Restaurants and Bar Rooms and Protection of Dignity of Women (working therein) Act, 2016 and under section 131 of the Maharashtra Police Act.

3. Perused the papers. It is not in dispute that the applicant is not the owner of “Gold Crown Restaurant and Bar” on which the raid was conducted on 15th July, 2019. According to the prosecution, the applicant was working as Manager in the said Restaurant and Bar at the relevant time and admittedly was not present at the spot when the raid was conducted. It appears that the applicant had undergone knee surgery in March, 2019 and was advised to take rest. Although, some of the waiters had stated that the applicant is the owner of the premises, the same is not borne out from the documents on record. The applicant has co-operated with the investigation. Accordingly, the interim relief granted on 19th September, 2019 stands confirmed on the following terms and conditions;

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/-, with one or two sureties in the like amount ;
- (ii) The applicant shall co-operate with the investigation.

4. The application is disposed of.
5. All concerned to act on the authenticated copy of this order.

[REVATI MOHITE DERE, J.]