

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI. ANTICIPATORY BAIL APPLICATION NO. 2400 OF 2019

Firoz Abubaker Abbasi

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Ashok M. Saraogi, Advocate for Applicant.

Mr. Prashant Pandey a/w. Mr. R.A. Mishra i/b. Mr. Vijay B. Dhingiya,
Advocate for the Intervener.

Mr. S.R. Agarkar, A.P.P. for the Respondent-State.

P.S.I. Mr. Rohit V. Bhise, Mahim Police Station present.

CORAM : SANDEEP K. SHINDE, J.
DATE : 13th NOVEMBER 2019.

P.C.

1 Heard learned counsel for the applicant, informant and learned
A.P.P. for the respondent – State.

2 Crime No.344 of 2019 is registered with the Mahim Police
Station for the offences punishable against the applicant and his two
brother's, Zuber and Imran for the offence punishable under Section 420,
201, 468 and 471 read with Section 34 of the Indian Penal Code, 1860.

3 Mr. Saraogi, learned counsel for the applicant submits that,
applicant's two brothers (co-accused in C.R. No.344 of 2019) are protected
by the interim order passed in Anticipatory Bail Application No.1882 of
2019. A copy of the order is taken on record and marked as Exhibit 'X-1'

for identification.

4 It appears that, the applicant had separately applied for the pre-arrest bail before the Sessions Court, Mumbai in the same C.R. No.344 of 2019. The learned Sessions Court, however, declined to extend interim protection to the applicant since he could not produce the order passed in Anticipatory Bail Application No.1882 of 2019, preferred by his brothers (co-accused) in very C.R. No.344 of 2019.

5 In view of the facts of the case and the order passed in Anticipatory Bail Application No.1882 of 2019 by the learned Sessions Judge, Mumbai, in the event of the arrest the applicant shall not be arrested till 26th November 2019.

6 The applicant is at liberty to file a fresh application before the learned Additional Sessions Judge with a request to hear his application alongwith Anticipatory Bail Application No.1882 of 2019.

7 With the aforesaid direction, the application is disposed of, keeping all contentions of the parties open. Learned Trial Judge to decide the application on its own merits, without being influenced by the orders of this Court.

(SANDEEP K. SHINDE, J.)