

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 573 OF 2020

Mr. Vatsal Jayesh Shah ...Applicant

Versus

The State of Maharashtra ...Respondent

WITH

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 574 OF 2020

Mr. Zenil Jayesh Shah ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Ravi P. Jadhav, Advocate for the Applicant.
Smt. Rutuja Ambekar, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 11th MARCH, 2020

PC :

1. The applicants in both these applications are prosecuted for offences under Section 138 of Negotiable Instrument Act. The proceedings are pending before the Court of Metropolitan Magistrate, Kolkata. Non-bailable-warrant was issued against the applicants and other accused by the Court at Kolkata. In pursuant to that the uncle and father of the applicants were arrested on execution of non-bailable-warrant. They were produced for transit

remand before local Court. Transit remand was granted and they were taken to the competent Court for further action.

2. The applicants are apprehending arrest in connection with non-bailable warrant and therefore have preferred these applications seeking bail under Section 438 of Cr.P.C. for temporary period to enable them to approach the concerned Court. The applicants relied upon several orders passed by this Court granting relief of anticipatory bail for temporary period in the similar circumstances. Considering the fact that the co-accused were arrested in pursuant to that execution of non-bailable-warrant by the Court at Kolkata through local Police Station, there is apprehension that the applicants would be arrested. Hence, to enable the applicants to approach the appropriate Court, the protection can be granted for a period of four weeks.

ORDER

- i) In the event of arrest of applicants in connection with Non-Bailable Warrant in case of CC/242/2020 pending before the Court of Metropolitan Magistrate 8th Court Kolkata, the applicants be released on bail on furnishing P. R. Bond in the sum of Rs.25000/-, each with one or

more sureties in the like amount;

- ii) This protection is granted for a period of four weeks to enable the applicants to approach the appropriate Court for seeking appropriate relief.
- iii) Applications stand disposed of accordingly.

(PRAKASH D. NAIK, J.)