

Neeta S.
Sawant

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Date: 2020.11.27
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Anticipatory Bail Application No. 801 / 2020

Khaja Sattar Shaikh & Ors.

.. Applicants

Vs.

The State of Maharashtra

.. Respondent

.....

Mr. Hidayat G. Mukadam, Advocate for the Applicant.
Ms. J.S. Lohakare, APP for State.

.....

CORAM : SANDEEP K. SHINDE J.

DATE : 27th November 2020.

(Through Video Conference)

P.C. :-

Heard.

1. At the outset, it may be stated that in the order dated 25th November, 2020 passed by this Court, inadvertently an error has crept in paragraph No. 2, inasmuch as the stolen property is Rs. 8000/- and not 46000/-. Order dated 25th November, 2020 accordingly stands corrected.

2. Herein it is alleged that the applicant and co-accused

ransacked and damaged the furniture and hotel premises of the complainant, since the complainant did not entertain / permit them to consume Alcohol in his hotel. Incident is captured in the CCTV. Panchanama of CCTV footage is produced for perusal. I have perused it. Panchanama (with photographs) is taken on record and marked **X - 1 for identification**.

3. This Panchanama marks presence of the accused, armed with sticks and iron rods. Though it is contended that the complainant and his workers in the hotel had sustained simple injuries, but fact remains that applicants/ accused had substantially damaged property of the complainant, and assaulted with deadly weapons.

4. Thus, no case is made out for granting pre-arrest bail. It may also be stated that while applicants were granted interim protection by the learned Sessions Court, it appears from the observations made in Paragraph No.4 of the order passed by the Additional Sessions Judge, Thane, that the applicants did not cooperate in the investigation.

5. In these circumstances, application deserves no consideration. It is rejected.

(SANDEEP K. SHINDE, J.)