

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.135 OF 2019

Muddassir Rahman Mohd Umar Applicant
Shaikh

Vs.

The State of Maharashtra Respondent

Mr. Akhilesh Dubey a/w Mr. Amit Dubey a/w Mr. V.R. Mishra i/by Shaikh
S. Baxu for Applicant.

Ms. Sharmila S. Kaushik, A.P.P., for State-Respondent
Mr. D.Y. Shelar, PSI, Central Crime Detection Unit, Crime Branch Thane
present.

Coram : NITIN W. SAMBRE, J.

Date : 8th JULY, 2021

P.C.:

1. The applicant has filed this application seeking pre-arrest
bail in Crime No. I-213 of 2018, registered with Nizampura Police
Station, Bhiwandi, District Thane, for the offence punishable under
Sections 7, 8, 9 of Lottery Regulation Act read with Sections 4 and 5 of
Maharashtra Prohibition of Gambling Act and under Sections 294-A,
420 read with 34 of Indian Penal Code.

2. The contentions are, the status of the applicant is shown to be an Agent of Online lottery operator company. According to learned counsel for the applicant the investigation is completed and charge-sheet is already filed.

3. The applicant was on ad-interim protection vide order dated 17th January, 2019 passed by this Court (Coram : Prakash D. Naik, J.) i.e. for about 2 ½ years.

4. Learned APP does not dispute aforesaid factual matrix and claimed that the applicant is involved in the offence of having financial implications over the state exchequer.

5. It appears that the applicant is shown as an Agent of Game King India Private Limited, which is formed by the co-accused.

6. There is no criminal antecedents against the applicant and he is very much available for facing the trial.

7. In the aforesaid background, in my opinion, custodial interrogation of the applicant is not required, as the investigation is completed and charge-sheet is filed.

8. As such, ad-interim order dated 17th January, 2019 stands confirmed. Hence, following order :

ORDER

1. In the event of arrest in Crime No.I-213 of 2018, registered with Nizampura Police Station, Bhiwandi, District Thane, for the offence punishable under Sections 7, 8, 9 of Lottery Regulation Act read with Sections 4 and 5 of Maharashtra Prohibition of Gambling Act and under Sections 294-A, 420 read with 34 of Indian Penal Code, the applicant be released on bail on his executing P.R. bond in the sum of Rs.25,000/- with one or more solvent sureties in the like amount.

2. The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case.

3. The Applicant shall report the Investigating Officer as and when required.

9. The application stands disposed of.

(NITIN W. SAMBRE, J.)