

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 360 OF 2021

Nasuruddin Mohd. Ali Khan ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. V. S. Tiwari, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 5th MARCH, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 169 of 2020 registered with Kalachowki Police Station, Mumbai for offences under Sections 406, 409, 420, 120(B), r/w Section 34 of Indian Penal Code. The FIR was registered on 17th September, 2020.

2. The case of the complainant is that, since 2014 to October, 2019 the employees working in the complainant's company namely Christopher, Ravi Awati were handed over the truck loaded with steel for the purpose of weighing the steel loaded in the truck. The accused in connivance with the co-accused Sikandar, Das and others had misappropriated the steel weighing 840.121 Metric ton

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S. Thatte

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Manish S. Thatte
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valued Rs. 90 Lakhs and they sold the said articles to other persons. During the course of investigation Mr. Das, who is the son of the applicant was arrested. He is still in custody. Charge-sheet is filed against the accused.

3. Learned APP pointed out the investigation papers which indicates that the applicant and his son are scarp dealers. They are conducting business of purchasing scrap. It is alleged that, during interrogation of the co-accused, the applicant is shown to be involved. Son of the applicant has been arrested and he is in custody. The applicant was not named in the FIR and he was not involved in siphoning of the steel from the company. Hence, case for grant of anticipatory bail is made out.

ORDER

- (i) Anticipatory Bail Application No.360 of 2021 is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R. No. 169 of 2020 registered with Kalachowki Police Station, Mumbai, the applicant be released on bail on furnishing P. R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall attend the investigating officer on 15th, 16th & 17th March, 2021 between 11.00 a.m. to 1.00 noon and thereafter as and when called for till filing of charge-sheet.

(iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)