

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 575 OF 2021

Firoz @ Shaikh Naseeruddin

... Applicant

Versus

The State of Maharashtra

... Respondent

.....

Mr. Khwaja Shaikh, Advocate for the Applicant.

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

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CORAM : PRAKASH D. NAIK, J.

DATE : 2nd MARCH, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No.948 of 2020 registered with Andheri Police Station, Mumbai for offences under Sections 436 r/w Section 34 of Indian Penal Code (for short “IPC”).

2. The First Information Report (For short “FIR”) is registered on 10th December, 2020. On 10th December, 2020, complainant, his wife and younger son aged 6 years, were sleeping in the house. At about 3.30 a.m. when the complainant went to toilet he noticed that accused Anees had sprinkled kerosene and setting house on fire. The complainant questioned him. He ran away. He was accompanied by his brother Taj and his friend Firoz. All of them

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started running. The complainant shouted for help. Her relatives came for help to extinguish fire. complainant opened the door and managed to exit. The wife sustained injury due to fire.

3. The contention of applicant is that no role is attributed to him. The applicant is falsely implicated in the case. The other witnesses have not referred to his involvement.

4. Learned APP submitted that the offence is of serious nature. The accused tried to set house on fire when the complainant his wife and child were sleeping in the house. The presence of the applicant is established. He was accompanying other accused. He started running from the place of incident when the complainant had questioned them.

5. Applicant was present at place of incident along with co-accused. The incident had occurred at 3.30 a.m. The co-accused set fire to house. Both started running when the complainant questioned them. Prima facie involvement is disclosed. Considering the allegations in FIR and the other circumstances, no case for grant of anticipatory bail is made out.

ORDER

Criminal Anticipatory Bail Application No.575 of 2021 is rejected and stands disposed of accordingly.

6. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)