

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1323 OF 2021

Hardeep Singh Jogindersingh Bharara	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Brijesh K. Rathod i/by V.K.Dubey for applicant.
Mr.H.J.Dedhia, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 9th June 2021

PC :

1. This is an application for anticipatory bail in CR No.347 of 2019 registered with Amboli Police Station for offences under Sections 3,114 and 34 of Indian Penal Code and under Sections 3, 8(1)(2)(4) of Maharashtra Prohibition of Obscene Dance in Hotels, Restaurants and Bar Room and Protection of Dignity of Women Act, 2016 r/w Section 131 of Maharashtra Police Act.

2. This is second application for anticipatory bail before this Court. The previous application viz ABA No.2325 of 2019 was disposed off vide order dated 28-1-2021. The said order mentions that after hearing learned counsel for applicant and since the Court was not inclined to grant relief, permission was sought to withdraw the application.

3. In the present application it is stated that the applicant had preferred application for anticipatory bail before this Court which has been withdrawn on 28-1-2021, however, copy of the order dated

28-1-2021 has not been annexed to this application. In application it is not stated that previous application was withdrawn since the Court was not inclined to grant relief.

4. The FIR was registered on 21-9-2019. The applicant had preferred application for anticipatory bail before Sessions Court, which has been rejected on 1-10-2019. Thereafter another application was preferred before the Sessions Court which was rejected on 5-3-2021.

5. The case of prosecution is that the applicant is involved in the offence. The information was received by Police that obscene dance is being performed at Sadanand Bar and Restaurant situated at Amboli. The applicant is the owner of the bar.

6. Learned counsel for applicant submitted that premises was let out on leave and license basis to another person. The other accused are arrested. They are granted bail. Custodial interrogation of applicant is not necessary.

7. Learned APP submitted that the applicant is absconding. There is no change in circumstances. The charge sheet is filed against arrested accused.

8. It is pertinent to note that the FIR was registered on 21-9-2021. Since then the applicant has been avoiding arrest. Repeated applications are preferred seeking anticipatory bail. The FIR and investigating papers show the involvement of applicant in the offence. The previous application was withdrawn since the Court

was not inclined to grant anticipatory bail. In view of this, no case is made to grant relief in this application. out for grant of this application. Accordingly this anticipatory bail application is rejected.

(PRAKASH D. NAIK, J.)

MST