

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

ANTICIPATORY BAIL APPLICATION NO.1405 OF 2021

- 1) Nikhil Liladhar Patkar; and
- 2) Vishal Bhikhabhai Rathod .. Applicants

Versus

State of Maharashtra and Anr. .. Respondents

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Mr.Aniket U. Nikam i/b. M/s.Hedgehog and Fox, Advocate for the Applicants.

Mr.Y.M. Nakhwa, APP for the Respondent - State.

Mr.Jitendra B. Mishra, Advocate for Respondent No.2.

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CORAM : PRAKASH D. NAIK, J.

DATED : JUNE 16, 2021.

P.C. :

Applicants are seeking transit anticipatory bail apprehending arrest in relation to summons dated 3rd March, 2021, 5th March, 2021, 10th March, 2021, 4th June, 2021 and 11th June, 2021, issued by the Commissioner of Central GST and Central Excise in relation to inquiry of evasion of CGST, SGST/ Taxes etc. by the applicants or through their company M/s.Asterpetal Trade and Services Private Limited. It is submitted that the applicants are residents of Mumbai.

On account of pandemic situation reasonable time of six weeks protection under Section 438 of Cr.P.C. be granted to them to enable the applicants to approach the appropriate Court for seeking appropriate relief. Learned counsel for the applicants has relied upon several orders passed by this Court, wherein similar relief in regard to inquiry initiated by the Superintendent, CGST, Gandhinagar, Ahmadabad.

2 Learned counsel for respondent no.2 submit that although summons were issued to applicants, they have not responded. The protection is sought to delay the appearance before the concerned authority. There is every likelihood that the applicants would tamper with the evidence.

3 I have perused the summons and the orders passed by the Court in other applications. Considering the submissions of both sides and current pandemic situation, transit anticipatory bail can be granted to the applicants for a period of four weeks to enable them to approach the appropriate Court for appropriate relief.

:: ORDER ::

- (i) In the event of arrest of the applicants in connection with summons dated 3rd March, 2021,

5th March, 2021, 10th March, 2021, 4th June, 2021 and 11th June, 2021, issued by the Commissioner of Central GST and Central Excise, the applicants be released on bail on executing P.R. Bond in the sum of Rs.25,000/-, each, with one or more sureties in the like amount;

- (ii) This interim protection is granted till for a period of four weeks to enable the applicants to approach the appropriate Court for appropriate relief;
- (iii) Anticipatory Bail Application No.1405 of 2021, stands disposed of accordingly.

(PRAKASH D. NAIK, J.)