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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2955 OF 2021

PRASHANT SHAMRAO MALI

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. M. K. Dubey i/b Mr. Anil M. Dubey for the applicant

Mr. Ajay Patil APP for the State

Mr. Khairnar, Bajarpeth Police Station, Kalyan

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 9, 2021.

P.C.:

1] Applicant is seeking pre-arrest bail in C.R. No. 145/2020 registered with Bazarpeth Police Station, Kalyan for Offences punishable under Section 384 of the Indian Penal Code.

2] Perused the contents of F.I.R. and papers placed on record in support of plea of false implication.

3] The fact remains that on the day when the offence took place, applicant was not permitted to remain present and indulge into act of vegetable selling, particularly in the light of dates on which he is so permitted as reflected from the permission.

4] Apart from above, though Investigating Officer has given chance to the applicant to cooperate while issuing notice under Section 41A of Code of Criminal Procedure, 1973, applicant has not cooperated in the investigation, rather misled the Investigating Officer as is apparent from the observations made in the order.

5] No case for bail is made out. Application stands rejected.

[NITIN W. SAMBRE, J.]