

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

ANTICIPATORY BAIL APPLICATION NO. 2036 OF 2021

Mohd. Bhanu Makbul Haq ... Applicant

Versus

The State of Maharashtra & Ors. ... Respondents

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Mr. M. B. Shaikh, Advocate for the Applicant.

Mr. S. H. Yadav, APP for the Respondent – State.

Mr. Satish Kamat, Advocate for Respondent No.2.

Mr. M. J. Mohite (PSI) Versova Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 16th SEPTEMBER, 2021

PER COURT:

1. The applicant is apprehending arrest in C.R. No.136 of 2021 registered with Versova Police Station for offences under Section 135, 138 of Maharashtra Electricity Act and Section 379 r/w Section 34 of Indian Penal Code (for short “IPC”).

2. Vide order dated 1st September, 2021 it was observed that the primary evaluation of the First Information Report (for short ‘FIR’) registered by the complainant’s company discloses complicity of the applicant committing theft of electricity. The letter dated 10th August, 2021 issued by the complainant was brought to the notice of this Court which mentions that the complainant’s company had suffered loss of Rs.3,03,796.80/-. The applicant had

undertaken to deposit the said amount in registry of this Court. The undertaking was given to this Court which was recorded vide order dated 1st September, 2021.

3. It is not disputed that the aforesaid amount has been deposited in the registry of this Court. The applicant also stated that the complainant can be permitted to withdraw the deposited amount.

4. Hence, the interim protection granted by this Court by order dated 1st September, 2021 can be confirmed.

5. Hence, I pass the following order:

ORDER

(i) Anticipatory Bail Application No. 2036 of 2021 is allowed;

(ii) Interim order dated 1st September, 2021 is confirmed.

(iii) In the event of arrest of the applicant in connection with C.R. No.136 of 2021 registered with Versova Police Station, 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;

(iv) The complainant/respondent No.2 is allowed to withdraw the amount of Rs.3,03,796.80/- deposited by the applicant in the registry of this Court.

(v) The applicant shall not involve in such activities in future.

(vi) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)