

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

ANTICIPATORY BAIL APPLICATION NO.154 OF 2021

Abhinav Ashok Kumar Sharma

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....
Mr.Abhijeet Shukla, Advocate for the Applicant.

Mr.S.S. Pednekar, APP for the Respondent – State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 19, 2021.

P.C. :

This is an application for anticipatory bail in connection with C.R.No.520 of 2020 registered with D.N.Nagar Police Station, Mumbai, for the offence punishable under Section 380 of Indian Penal Code (“IPC”, for short). First Information Report (“FIR”, for short) was lodged on 19th November, 2020.

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2 The case of the complainant is that she is occupying the premises along with her friend Airaj Khan, the applicant and her friend Bharti Kale. It is alleged that the applicant had handed over his gold chain to complainant for safe custody. She kept it in cupboard. She also kept her gold chain of 10 grams with pendant

and earrings of 10 grams. She returned chain of applicant to him on 6th November, 2020. On 13th November, 2020 she went out with her friend. When they returned applicant was at home. Complainant's aforesaid ornaments were missing.

3 Applicant contended that the case is entirely false. The relations between applicant and the complainant were not cordial. The contention of the applicant is that he has been falsely implicated. There was dispute with complainant and her friend over rent.

4 Applicant was granted interim protection vide order dated 30th December, 2020. The FIR indicate that complainant, her friend and applicant were residing in premises together for about one and half year.

5 Considering the nature of evidence, custodial interrogation of the applicant is not necessary.

6 Hence, I pass the following order:

:: ORDER ::

- (a) Anticipatory Bail Application No.154 of 2021, is allowed;

- (b) Interim order dated 30th December, 2020, is confirmed;
- (c) In the event of arrest of the applicant in connection with C.R.No.520 of 2020, registered with D.N.Nagar Police Station, for the offence punishable under Section 380 of IPC, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.15,000/-, with one surety in the like amount;
- (d) Needless to mention that the applicant shall co-operate with the investigating agency and he shall attend the concerned police station as and when required;
- (e) Anticipatory Bail Application No.154 of 2021 stands disposed of accordingly.

(PRAKASH D. NAIK, J.)