

BHALCHANDRA
GOPAL
DUSANE

Digitally signed by
BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.05
11:34:05 +0530

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

ANTICIPATORY BAIL APPLICATION NO.2394 OF 2021

Vijay Harakchand Tatiya Applicant

Vs.

The State of Maharashtra Respondent

Mr. Satyajit Dighe for Applicant.

Mr. A.R. Kapadnis, APP for State of Maharashtra.

Coram : NITIN W. SAMBRE, J.

Date : 4TH OCTOBER, 2021

P.C.:

1. The applicant is seeking pre-arrest bail in Crime No. I-465 of 2021, registered with Manpada Police Station, Dombivli (East), for the offence punishable under Sections 380 of the Indian Penal Code.

2. Prayer for grant of bail has been opposed by the learned APP on the ground of antecedents and the recovery to be made.

3. I have perused the documents, which are produced on record so also heard learned APP, on merits.

4. Apart from the fact that the incident, which has taken place from 9th January 2019 to 30th April, 2019, F.I.R. came to be lodged on 2nd September, 2021 i.e. after unexplained delay of about more than two years.

5. Apart from above, the proceedings under Negotiable Instructions Act are already pending against the complainant in relation to the cheques issued, which claimed to have been stolen.

6. The contention of learned counsel for the applicant is, in all the matters, which were registered against the applicant, the applicant has been acquitted or the F.I.R. came to be quashed.

7. In the wake of above, a case for grant of protection is made out. Hence, following order :

ORDER

i) In the event of arrest in Crime No. I-465 of 2021, registered with Manpada Police Station, Dombivli (East), for the offence punishable under Sections 380 of the Indian Penal Code, the applicant be released on bail on his executing P.R. bond in the sum of Rs.15,000/-/- with one or two sureties in the like amount;

ii) The applicant is directed to attend the concerned Police Station on 8th, 11th, 14th and 18th October, 2021 in between 10.00 am. to 12.00 pm. and thereafter as and when directed;

iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence.

8. The application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)