

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

ANTICIPATORY BAIL APPLICATION NO.2194 of 2019

Jitendra Manohar Kokate	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.397 of 2020

Abdullah Hisamuddin Khan	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.472 of 2020

Noorul Azad Khan	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.473 of 2020

Gulam Husain	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.2558 of 2019

Ram Ishwar Devar	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO.2611 of 2019

Imran Iqbal Patawekar	.. Applicant
Versus	
The Sr. Police Inspector and anr	.. Respondents

WITH
ANTICIPATORY BAIL APPLICATION NO.2384 of 2019
Dattatraya Ganpati Mane .. Applicant
Versus
The Sr. Police Inspector and anr .. Respondents

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Mr. Abhishek Yende for the applicant in ABA 2194/19.
Mr.Tushar Sonawane for applicant in ABA 397/20.
Mr.Vinayak Patil for applicant in ABA 2384/19.
Mr.Rui Daruwala i/b Umesh Mankapure for applicant in ABA 2558/19.
Mr.Mateen A. Shaikh for applicant in ABA 2611/19.
Mr.A.R. Patil, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 30th OCTOBER 2021

P.C:-

1 My attention is invited to the order dated 18th February 2020 where the applicants were admitted to interim protection on consideration of the law revolving around Section 328 of the IPC. It was also recorded that identical issue was arising in other matters and hence, the protection came to be granted. All the said matters are listed today. In all the applications, protection from arrest operate in favour of the applicants since 2020.

2 The case of the learned APP is not that the applicants have not co-operated with the investigation nor the learned APP

has come up with a case as to why at this stage, the arrest of the applicants is necessary, particularly ABA Nos. 2384/19, 2194/19 and 2611/19. Investigation is complete and charge-sheet has been filed.

In the remaining applications, though the charge-sheet is yet to be filed, since no case is made by the prosecution to justify the custody of the applicants for further investigation, I deem it appropriate to continue the interim relief granted in favour of the applicants by the respective orders in each application and where the charge-sheet has not been filed, the applicants shall continue to render the co-operation in the investigation and report to the police station as and when directed by the Investigating Officer.

3 Interim relief in favour of the applicants stands confirmed.

4 All Applications are allowed and the protection from arrest granted is confirmed.

SMT. BHARATI DANGRE, J