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

ANTICIPATORY BAIL APPLICATION NO. 2445 OF 2019

Mohsin Noormohammed Shaikh ... Applicant
Vs
The State of Maharashtra & Anr. ... Respondents

Mr. Milan Desai i/b Mr. T.R.Patel for the Applicant
Smt. S.V.Sonawane APP for the Respondent/State.

CORAM : N. J. JAMADAR, J.
DATE : 4th SEPTEMBER, 2021

P.C.:

Heard the learned counsel for the applicant and the learned APP for the respondent/state. Perused the material on record including the First Information Report (for short "FIR") dated 5th June, 2019.

2. By an order dated 30th January, 2020 this Court was persuaded to grant an interim relief and direct the release of the applicant on bail, in the event of arrest, as the FIR does not disclose *prima facie* complicity of the applicant.

3 The aforesaid observation appears to be impeccable. From the perusal of the FIR lodged by Rakesh Kalani, it becomes abundantly clear that the thrust of the allegations is against the father of the applicant, namely, Noormohammad Shaikh. The only

allegation against the applicant is that he used to sit in the office of the R.N. Builders and Developers at Ashok Market and the receipts were issued by Noormohammad, the father of the applicant and the applicant. However, it is specifically alleged that those receipts were signed by the father of the applicant.

4 In the aforesaid circumstances, custodial interrogation of the applicant does not seem warranted. Hence, the applicant is entitled to be released on bail, in the event of arrest. Thus, the following order.

ORDER

1. The application stands allowed.
2. Interim order dated 30th January, 2020 stands confirmed on the same terms and conditions.
3. In addition the applicant shall regularly attend the proceedings in the case C.C.No.344/PW/2020 before the jurisdictional court.
4. The application stands disposed of accordingly.

DHANAPPA
ERAPPA
KOSHTI

(*N. J. JAMADAR, J.*)

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Date: 2021.09.08
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