

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.275 OF 2022

Arfat Ismail Shaikh] ... Applicant

Vs.

The State of Maharashtra] ... Respondent

...

Mr. Ashok B. Tajane for the applicant.

Mr. Anil S. Kamble for the complainant.

Mr. S.V. Gavand, A.P.P. for the State.

Mr. Dilip Deshmukh, PSI, is present in the court.

...

CORAM : SMT. BHARATI DANGRE, J.

DATED : 13TH JUNE, 2022.

P.C.:-

1. By order dated 08/03/2022, the applicant was admitted to interim protection, by specifically recording that the incident took place in the month of June, 2021, but the FIR came to be lodged only on 20/12/2021. The applicant was directed to attend to the police station and it was informed by learned A.P.P.,

on instructions from the Investigating Officer, that he co-operated with the investigation and has surrendered his mobile.

2. On the basis of the investigation, he also states that the incident alleged to have taken place on 21/06/2021 is also falsified by the fact that the CDRs in respect of the mobile of the applicant on that particular day or during the period in which the incident had taken place, do not support the case of the prosecution as he was not found on the location. In any case, the investigation is still in progress. The Investigating Officer, who is present in the court, however, states that he does not require the custody of the applicant, but he shall continue to render his co-operation in completing the investigation.

3. In the wake of the aforesaid, the order dated 08/03/2022 is made absolute, subject to the stipulation that the applicant shall not, in any manner, threaten the complainant and on noticing any such grievance from the complainant, the prosecution is at liberty to move an application for cancellation of the bail.

4. The applicant shall render his co-operation to the Investigating Officer.

5. The application is disposed off.

[SMT. BHARATI DANGRE, J.]