

PMB

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

ANTICIPATORY BAIL APPLICATION NO.508 OF 2022

KAMLESH KUMAR RAM SAKAL TIWARI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Pramod Pandey for applicant.

Ms. A. A. Takalkar, APP for State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 23, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in respect of the offence punishable under Sections 420, 465, 468, 471 read with Section 34 of the Indian Penal Code, 1860 in connection with First Information Report (FIR) No.I-92 of 2017 registered with Kalyan Taluka Police Station.
- 3.** The FIR was filed on 22/03/2017. The applicant is the co-accused. It is the contention of learned APP, on instructions of the Investigating Officer, that the applicant is

absconding. It is further submitted that even the chargesheet has now been filed, the accused is shown absconding. Learned counsel for the applicant submitted that it is never his intention to avoid the process of investigation and according to him, no notice was received by him at any point of time. He submits that the applicant is willing to co-operate with the Investigating Officer.

4. Considering the nature of the offence, in my opinion, it is a fit case where the applicant could be directed to present himself before the Investigating Officer. The applicant to co-operate with the investigation. Learned counsel for the applicant assures that the applicant would present himself before the Investigating Officer on 28/11/2022, 29/11/2022 and 30/11/2022 between 11.00 a.m. and 1.00 p.m. and thereafter as and when required. In case the Investigating Officer wants to effect arrest in the wake of the reasons recorded by him, he shall give 72 hours notice in advance to the applicant. The applicant to furnish the details of his residential address and contact numbers to the Investigating Officer.

5. Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)