

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 554 OF 2022

Jitesh Ramakant Thakur .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Vishwanath Patil i/b Ashwin Hawlikar for the Applicant.

Ms. Rutuja Ambekar, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.

DATED : 19th JULY, 2022

P.C:-

1 The applicant is accused of the offence punishable under sections 182, 505 (1b) and 506 (2) of IPC. As far as section 182, 505(1b) are concerned, they are bailable offences whereas, section 506 (2), is non-bailable, in the wake of the notification issued by the Home Department (Special) on 4/10/1962, and would invite a punishment with imprisonment for either description for a term, which may extend to 7 years or with fine or with both. As far as section 505 (1b) is concerned it is punishable with imprisonment which may extend to 3 years or fine or both.

2 In the wake of the decision of Hon'ble Apex Court in case of ***Arnesh Kumar vs State of Bihar (2014) 8 SCC 273*** since the imprisonment prescribed for the said offences with which the

applicant is accused, is less than 7 years, let the investigating officer serve a notice under section 41 (A) of Crpc to the applicant, and the applicant shall abide by the said notice. Thereupon, the investigating officer shall follow the procedure prescribed in the said provision.

3 With the aforesaid direction application is disposed off.

(SMT. BHARATI DANGRE, J.)