

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

ANTICIPATORY BAIL APPLICATION NO. 757 OF 2022

Irshad Ahmed Rashid Ahmed Siddiqui Applicant
Versus
The State of Maharashtra Respondent

Ms. Jyoti Raju Sahu for Applicant.
Ms. Pallavi N. Dabholkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 22nd APRIL 2022
(In Chambers)

P.C. :

1. The Applicant had earlier approached this court vide A.B.A.No.3196 of 2021. That application was filed by two accused i.e. present applicant and the second applicant Inayatullah Riyasuddin Siddique. The investigating agency did not want custody of the applicant Inayatullah Siddique and, therefore, his application was allowed. However, I had heard the arguments for considerable time in respect of the present applicant's case and when I expressed my disinclination to grant relief, permission was sought to withdraw that application. The concerned order dated

13/01/2022 reads thus:

“1. The Applicant is seeking anticipatory bail in connection with C.R.No.124 of 2021 registered at Wadala TT Police Station, on 21/04/2021, under sections 408 and 420 r/w. 34 of the Indian Penal Code (for short ‘IPC’).

2. Heard Ms. Jyoti Shahu, learned counsel for the applicant, Ms. Kaushik, learned APP for the State and Mr. Dinesh Singh Patankar, learned counsel for the Complainant.

3. At the outset, learned APP, on instructions, states that the investigating agency does not want the custody of applicant No.2. Therefore, this application can be allowed, as far as, applicant No.2 is concerned. I have heard the parties for consideration of applicant No.1’s application.

4. After advancing arguments for considerable time, when I expressed my disinclination to grant relief to the applicant No.1, learned counsel seeks permission to withdraw the application on behalf of the applicant No.1 unconditionally. Therefore, I am permitting the application on behalf of the applicant No.1 to be withdrawn unconditionally.

5. Hence, the following order :

ORDER

- (i) The application for applicant No.1 is disposed of as withdrawn unconditionally.

- (ii) In the event of arrest of applicant No.2 in connection with C.R.No.124 of 2021 registered at Wadala TT Police Station, the applicant No.2 is directed to be released on bail on his furnishing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (iii) The Applicant No.2 shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- (iv) Application stands disposed of accordingly.

2. Today, a fresh anticipatory bail application is placed before me. There is absolutely no change circumstance pleaded in this application. There is no change in the merits of the matter. Therefore, I am not inclined to entertain this application.

3. The application is accordingly disposed of.

(SARANG V. KOTWAL, J.)