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

ANTICIPATORY BAIL APPLICATION NO.1367 OF 2021

MUSKAN KHATOON W/O MD. RIZWAN

ANASARI

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. S. G. Rajput a/w. Mr. Shubham Kalbere.

Mr. S. V. Gavand, APP for State.

Mr. Palande, PSI, Dr. D. B. Marg Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 25, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for pre-arrest bail in connection with the offence punishable under Sections 419, 420 read with 34 of the Indian Penal Code read with Sections 66C and 66D of the Information Technology Act, 2000 registered vide C.R.No.155 of 2020 with the Dr. D. B. Marg Police Station.
- 3.** Learned APP submits that though the Investigating

Officer wanted to serve the notice under Section 41A Code of Criminal Procedure (hereafter 'the Cr.PC' for short) on the applicant, but as the applicant was not available, the notice could not be served.

4. Learned counsel for the applicant submitted that the main accused have been arrested and she has nothing to do with the present offence. Learned counsel further submitted that she is willing to co-operate with the Investigating Officer.

5. Learned APP submits that the applicant is from Jharkhand. Learned APP further submits that the applicant should attend the Investigating Officer on December 22, 2022. So far as other accused are concerned, the chargesheet has already been filed.

6. Learned counsel for the applicant assures that the applicant would present herself before the Investigating Officer on December 22, 2022, between 11.00 a.m. and 1.00 p.m. when she will accept the notice under Section 41A of the Cr.PC. The applicant will co-operate with the investigation. In case the Investigating Officer wants to

effect arrest if he feels that arrest is imperative in the wake of the reasons recorded by him, he may effect the arrest after giving 72 hours notice in advance to the applicant. The applicant to furnish the details of her residential address and contact numbers to the Investigating Officer.

7. The application is disposed of.

(M. S. KARNIK, J.)