

PMB

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

ANTICIPATORY BAIL APPLICATION NO.1541 OF 2022

AAQUIB AKIL AHMED ANSARI ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Raju D. Suryawanshi for applicant.

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

Mr. Pravin Surwade, API, Chitalsar Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 21, 2022.

P.C. :

1. My attention is invited to the order dated 21/09/2022

which reads thus :-

"1] In compliance of the order dated 26.07.2022 the learned APP states that the Applicant is benefited financially as some amount has been transferred into his account and he is the main kingpin in the entire episode.

2] The charge-sheet filed against other accused persons allege that the accused in connivance with each other were unauthorizedly running a telephone exchange and were diverting the calls coming from international VOIP, through sim box machine in which 195 sim cards of Airtel company were put to use. The charge sheet allege that calls were then diverted/routed to the persons to whom they were meant for.

3] The nature of accusations has now clearly surfaced from the charge-sheet and in my considered opinion, nothing more can be brought even if the Applicant is subjected to interrogation.

4] In any case, as the Applicant has not reported to Investigating Officer, he shall report to the Investigating Officer and render co-operation in the investigation which is in fact already completed and charge-sheet is filed against co-accused. Hence following order :

ORDER

(a) In the event of arrest in connection with C.R.No.I-11/2022 registered with Bhoiwada Police Station, the applicant Aaquib Akil Ahmed Ansari shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/-with one or two sureties of the like amount.

(b) The applicant shall report to the concerned police station from 28.09.2022 to 30.09.2022 between 3.00 p.m.to 5.00 p.m. and thereafter as and when called for.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

List on 17.10.2022."

2. Learned APP on instructions of the Investigating Officer, who is personally present in the Court, submits that in terms of the order dated 21/09/2022, the applicant has reported to the concerned Police Station and co-operated with the investigation.

3. In this view of the matter, having regard to what is observed in the order dated 21/09/2022, the order passed by this Court needs to be confirmed on the following terms :-

(i) In the event of arrest in connection with C.R. No.I-11/2022 registered with Bhoiwada Police Station, the applicant Aaquib Akil Ahmed Ansari shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.

(ii) The applicant shall report to the concerned police station once in a week i.e. every Saturday between 11.00 a.m. and 01.00 p.m. and shall co-operate with the Police.

(iii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

4. Anticipatory Bail Application stands disposed of.

(M. S. KARNIK, J.)