

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2005 OF 2022**

Mahendra Madhukar Sawant .. Applicant
Versus
The State of Maharashtra & Anr. .. Respondents

**WITH
INTERIM APPLICATION NO.3716 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.2005 OF 2022**

P.G.Baburajan & Anr. .. Applicants
Versus
The State of Maharashtra & Anr. .. Respondents

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Mr.Ganesh Bhujbal for the Applicant.
Ms.A.A.Takalkar, A.P.P. for the State/Respondent.
Mr.Shailesh Kantharia for the Intervenor.
Mr.Tanaji Patil, PSI, attached to Vanrai Police Station, present.

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**CORAM: BHARATI DANGRE, J.
DATED : 15th NOVEMBER, 2022**

P.C:-

1. Learned A.P.P. states that since the provisions of Sections 406 and 420 of IPC are invoked, Investigating Officer has made every attempt to serve the notice upon the applicant under Section 41 of Cr.P.C., but was unsuccessful.

2. Learned counsel for the applicant states that the applicant is residing at the address mentioned in the title clause of the application. In case, there is a refusal to accept the said notice, the Investigating Officer shall construe it as disobedience of the order and shall take appropriate steps.

Upon receipt of notice, the applicant shall appear before the Investigating Officer. On his appearance, the Investigating Officer shall follow the mandate set out under Section 41A of Cr.P.C. and shall record reasons in writing, in case, he comes to the conclusion that the arrest is necessary. Before effecting the arrest for the purpose of custodial interrogation, he shall serve 72 hours notice to the applicants.

3. With the aforesaid direction, the application stands disposed off.

In view of the disposal of the application, interim application does not survive and stands disposed off.

(SMT. BHARATI DANGRE, J.)