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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2075 OF 2022**

Jahidhusain Anwar Jamadar	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

Ms.Ridhima Mangaonkar i/b Arun Gupta for the Applicant.
Smt.Anamika Malhotra, APP for the State.
PSI Shri S.R. Salunkhe, Kurar Police Station present.

CORAM : BHARATI DANGRE, J

DATE : 11TH AUGUST, 2022.

P.C.

1] Learned APP fairly submit that the room in which the prohibited substance was stocked and recovered which is alleged to be belonging to the Applicant, is not the true position, as during the investigation it is revealed that there is no document to show that the room belong to the Applicant. It was on the statement of one Chandbhir Hanif Khan, the Applicant was arraigned as an accused since, he informed that the room belong to the applicant.

2] The offences which are invoked against the applicant are bailable barring Section 328 of the IPC.

3] As far as Section 328 of the IPC is concerned, the issue whether bailable or non bailable is pending before the Hon'ble Apex Court.

4] In the wake of above, applicant deserve protection from arrest.
Hence, the following order :

(a) Application is allowed.

(b) In the event of arrest in connection with C.R.No.I-634/2022 registered with Kurar Police Station, the applicant Jahidhusain Anwar Jamadar 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.

(c) The applicant shall report to the concerned police station as and when called for.

(d) 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.

[BHARATI DANGRE, J]