

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2192 OF 2022**

Rohit Mongia .. Applicant
Versus
The State of Maharashtra .. Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.2183 OF 2022**

Sachin Chandrakant Bane .. Applicant
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO.2682 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.2183 OF 2022**

Mani Phirozshaw Patel .. Applicant
Versus
The State of Maharashtra & Anr. .. Respondents

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Dr.Abhinav Chandrachud i/b Mr.Yogesh Devnani for the Applicants in both the Applications..

Ms.Anamika Malhotra, A.P.P. for the State/Respondent.

Mr.Karl Rustomkhan for the Intervenor.

API Vijay Acharekar, attached to Bandra Police Station, present.

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**CORAM: BHARATI DANGRE, J.
DATED : 27th SEPTEMBER, 2022**

P.C:-

1. After hearing the applications for considerable length of time and when I was trying to surface the exact role attributed to the applicants, whether they are the sub-brokers or whether they are authorised persons and when particularly asked, whether the Directors of BRH Wealth Creators, who are arraigned as accused, are apprehended, learned A.P.P. states that the notice under Section 41-A of Cr.P.C. is issued to them. When asked, if the notice can be issued against the Directors, why such notice is not issued to the applicants, the response is, it is even issued to the present applicants.

Learned counsel Mr.Chandrachud states that the applicants have received the notice, but they approached the Sessions Court. He states that the applicants have no hesitancy in complying with the said notice, by reporting to the Investigating Officer within a period of one week from today.

2. Upon the applicants appearing before the Investigating Officer, he shall follow the mandate set out under Section 41A of Cr.P.C. and shall record the 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 applications stand disposed off.

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

(SMT. BHARATI DANGRE, J.)