

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2481 of 2022

Vijay @ Nikhil Janardhan Dwivedi .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Niranjan Mundargi with Vinayak Patil, Siddharth Jha and Dwivendra Dubey i/b Law Global Advocates for the applicant.
Ms.A.A.Takalkar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 8th SEPTEMBER, 2022

P.C:-

1 The applicant is apprehensive of his arrest in C.R.No. 1148/2021 registered with Madhapur (Guttala) Police station, Cyderabad, Hyderabad, State of Telangana, on 24/9/2021, which invoke offence punishable u/s.406, 420, 468, 471 r/w Section 34 IPC.

2 The learned counsel Mr.Mundargi would submit that the registration of the said C.R is a counter blast to the crime registered on 2/9/2021 by the Oshiwara police station, subsequent to the directions issued by the Metropolitan Magistrate, Andheri on his complaint, which resulted in

registration of C.R. 1101/2022, against 15 accused persons, invoking Sections 364-A, 365, 420, 467, 471 r/w Section 34 of the IPC.

The case of the applicant is, a complaint was lodged by him on 16/10/2021 in respect of an incident of kidnapping, but the same was not registered by the Oshiwara police station, and therefore, he filed private complaint before the Metropolitan Magistrate, which resulted in registration of C.R.

3 The applicant was intercepted at the Mumbai Airport at the Immigration Desk in connection with the C.R.No. 1148/2021 and since he was taken seriously ill, he came to be admitted to Cooper Hospital, Juhu, on 7/9/2022, and a specific statement is made that as on date, he is undergoing treatment in the said hospital.

The learned APP do not dispute the said statement as the Investigating Officer has verified the fact that the applicant is presently undergoing treatment.

4 In the wake of the above, without touching the merits of the matter, I deem it appropriate to afford an opportunity to the applicant to proceed the Competent Court, which shall grant him the desired relief, but at present, he deserve protection from arrest by releasing him on bail in the event of his arrest by way of transit bail, so as to enable him to approach the Court of Competent Jurisdiction, as presently, he is hospitalized in

Mumbai, and is a resident of Mumbai. Hence, the following order :-

ORDER

- (a) In the event of his arrest, the Applicant – Vijay @ Nikhil Janardhan Dwivedi in connection with C.R.No.1148/2021 registered with Madhaur (Guttala) Police Station, Cyberabad, Hyderabad, Telangana, shall be released on transit bail for a period of two weeks, on furnishing P.R. bond to the extent of Rs.50,000/- with one or two sureties of the like amount.
- (b) The order shall grant him protection for a period of two weeks.

(SMT. BHARATI DANGRE, J.)