

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2499 OF 2022

Kamruddin Muktar Khan .. Applicant

Versus

The State of Maharashtra .. Respondent

...

Mr.Niranjan Mundargi with Rohan Hogle i/b Gopal Bhagat for the applicant.

Mr.S.H. Yadav, APP for the State.

PSI Shri J.K. Gite from Ambernath police station.

CORAM: BHARATI DANGRE, J.

DATED : 13th SEPTEMBER, 2022

P.C:-

1 In the wake of the accusations faced by the applicant in C.R.No.I-216/2021 registered with Ambernath police station which initially invoke Section 506 II along with Section 182 of the IPC and Sections 3, 25 of the Arms Act and Section 37(1) and 135 of the Maharashtra Police Act.

2 At the instance of the present applicant, who was identified as one of the conspirator resulting into adding of Section 120-B and his impleadment as an accused.

3 The learned APP, on instructions of the Investigating Officer, Mr.J.K. Gite, who is present in the Court, state that since the investigation is complete and charge-sheet has been filed, and even the fire-arm has been recovered from one of the accused

under Memorandum Panchnama, the custodial interrogation of the applicant is not necessary. In any case, the charge u/s. 120-B as it is alleged that with an ulterior motive of creating a threat perception in order to avail the armed licence, the entire conspiracy was hatched.

Accepting the aforesaid statement, the applicant deserve protection from arrest by the following order :

ORDER

- (a) In the event of his arrest, the Applicant – Kamruddin Muktar Khan in connection of C.R.No.I-216/2022 registered with Ambernath police station shall be released on bail on furnishing P.R. bond to the extent of Rs.30,000/- with one or more sureties of the like amount.
- (b) 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.
- (c) The Applicant shall report to the Investigating Officer on 26th September to 28th September 2022 and thereafter as and when directed.

The Application is allowed in the aforestated terms.

(SMT. BHARATI DANGRE, J.)