

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2738 OF 2022

Azharuddin Shamsunddin Shaikh .. Applicant
Vs.
The State of Maharashtra .. Respondent

Mr. Raohita Shaikh a/w. Mr. Javed Shaikh, V.V. Bambarde and Anil Nile
for the applicant.

Mr. S.V. Gavand, APP for the State.

CORAM : BHARATI DANGRE, J.

DATE : OCTOBER 4, 2022.

P.C.:

1. The applicant is apprehending his arrest in C.R. No. 0465 of 2022 registered with Mumbra Police Station which invoke the offences punishable under sections 420, 323 read with section 34 of Indian Penal Code.

The complainant alleged that through a mobile app “Grindr” and “Blued” he came in contact with one person named as Azhar (present applicant) and started chatting with him. He was called by the applicant to a particular location and on his motorcycle he was taken to a locality in Mumbra.

The allegation is that present applicant accompanied with his friend started assaulting him and took out the mobile and money from him. The complaint alleged that the mobile was worth Rs.6,000/- and cash amount was of Rs.4,500/-.

2. The investigation lead to recovery of stolen property and the

weapon used and this is recorded in the order passed by JMFC, Thane on 8 July, 2022.

3. In the wake of the above, since the property is already recovered, custodial interrogation of the applicant is not warranted and he deserves protection from arrest. Hence, the following order:

ORDER

(a) In the event of arrest, the applicant in connection with C.R. No. 0465 of 2022 registered with Mumbra Police Station shall be released on bail on furnishing PR. bond to the extent of Rs.25,000/-with one or two sureties of the like amount.

(b) The applicant shall report to the concerned police station on 10th and 11th October, 2022 between 3.00 p.m to 5.00 p.m and thereafter as and when directed.

(c) 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.

The Application is allowed in the aforesaid terms.

(BHARATI DANGRE, J.)