

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2910 OF 2022**

Kunal Dadia

.. Applicant

Versus

The State of Maharashtra

.. Respondent

Mr. Karansingh Rajput a/w Mr. Fayzan Shaikh for the Applicant.

Ms. A.A. Takalkar, A.P.P. for the State/Respondent.

CORAM: BHARATI DANGRE, J.

DATED : 18th OCTOBER, 2022

P.C:-

1. The applicant is apprehending his arrest in C.R. No. 019 of 2022, registered with Kunda, Police Station District, Udham Singh Nagar.

The FIR came to be registered on 26/01/2020 invoking Section 406 of IPC, and the learned counsel for the applicant state that, recently he came to know about the registration of the said C.R. and he is apprehending his arrest. Considering the fact that, the offence invoked is under section 406 and, it is expected that on part of the Investigating Officer to issue notice under section 41-A of Cr.P.C as set out by the Hon'ble Apex Court in case of *Satender Kumar Antil Vs. CBI, (AIR 2022 SC 3386)*, the arrest of the applicant is not

eminent.

In any case it is upto the Investigating Officer to adhere the guidelines issued by the Hon'ble Apex Court, which are strictly abided by, in the State of Maharashtra.

2. I deem it appropriate to protect the applicant for a period of two weeks by way of transit Anticipatory Bail, which shall expire thereafter.

3. Hence the following order:

: ORDER :

(a) Application is allowed.

(b) In the event of arrest, Applicant - Kunal Dadia shall be released on Transit Anticipatory bail in connection with C.R.No. 019 of 2022 registered with Kunda Police Station District UdhamSingh Nagar, on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(c) Interim Protection in favour of the applicant shall expire after period of two weeks from today.

(SMT. BHARATI DANGRE, J.)