

Darshan Patil

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

ANTICIPATORY BAIL APPLICATION NO.2983/2022

DAVID ALFONSO S/O. GEORGE ALFONSO ..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Anand Upadhyay a/w Prakash a/w Heman i/b Dipesh
Dwivedi

Mr. N. B. Patil, APP for State.

PI Puri, Vanrai Police Station is present.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 14, 2022.

P.C. :

1. Heard learned counsel for the applicant and the learned APP. Investigating Officer is present.

2. I am informed that a notice under section 41A of Code of Criminal Procedure, 1973 (hereafter 'Cr.P.C.', for short) has been issued. The applicant undertakes to appear in response of the said notice under section 41A of Cr.P.C. on 17/12/2022 at 11.00 a.m. onwards. The statement of the learned counsel for the applicant on instructions is accepted.

3. Learned APP on instructions of the Investigating

Officer who is present in the Court submits that after complying with the notice issued under section 41A of Cr.P.C. if the Investigating Officer is satisfied that the applicant is to be arrested, 48 hours notice will be served.

4. The applicant will report to the Investigating Officer with the Aadhar Card, Pan Card and all other necessary details of his residence. The applicant further assures that he will remain present to accept the 48 hours notice, if any. The learned counsel for the applicant on instructions further submits that notice for arrest, if the Investigating Officer is satisfied, would be sent on WhatsApp number provided by the applicant and he will have no grievance regarding service of such notice by this mode.

5. The application is disposed of.

(M. S. KARNIK, J.)