

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3174 OF 2022

YUSUF DAUD KHAN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Mr. Ayub B. Khan for applicant.

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

Smt. Varma, API, Oshiwara Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 23, 2022.

P.C. :

1. Heard learned counsel for the applicant and learned APP.

2. This is an application for pre-arrest bail in respect of C.R. No.833 of 2021 dated 13/12/2021 registered with Oshiwara Police Station, for the offence punishable under Sections 420, 406, 506(2) read with Section 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short). Pursuant to the order passed by the learned Sessions Court, a notice came to be issued under Section 41A of the Code of Criminal Procedure (hereafter "the Cr.P.C.", for short) to

the applicant. The applicant filed a reply. It is the contention of learned APP that the applicant did not appear in response to Section 41A notice and co-operate with the investigation. The chargesheet has already been filed and the applicant is shown as an absconder.

3. Learned counsel for the applicant submits that the applicant is willing to appear before the Investigating Officer. Learned APP on instructions submits that if the applicant appears before the Investigating Officer on 28th, 29th and 30th November, 2022 between 11.00 a.m. and 1.00 p.m., the Investigating Officer will investigate into the matter further. In case the Investigating Officer wants to effect arrest in the wake of the reasons recorded by him he shall give 72 hours notice in advance to the applicant. The applicant to furnish the details of his residential address and contact numbers to the Investigating Officer.

4. Anticipatory Bail Application is disposed of.

(M. S. KARNIK, J.)