

PMB

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

ANTICIPATORY BAIL APPLICATION NO.3197 OF 2022

KAMLESHKUMAR RAMNARAYAN SAHU ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
INTERIM APPLICATION NO.3906 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO.3197 OF 2022**

SHAMBHU KUMAR DAS ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Sujit Pathak a/w Mr. Govind Prajapati i/b. Mr. Sandeep
Dubey for applicant.
Ms. A. A. Takalkar, APP for State.
Mr. J. S. Yadav for intervenor.
Mr. Yogesh Kale, API, Navghar Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 24, 2022.

P.C. :

- 1.** Heard learned counsel for the applicant, learned APP and learned counsel for the intervenor.
- 2.** This is an application for pre-arrest bail in respect of First Information Report (FIR) No.0685 of 2022 registered

with Navghar Police Station, for the offence punishable under Sections 420 and 406 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. It is the grievance of learned APP on instructions of the Investigating Officer that the applicant is not co-operating pursuant to the issuance of notice under Section 41A of the Code of Criminal Procedure (hereafter "the Cr.P.C.", for short), thus making it difficult for the Investigating Officer to proceed with the investigation. Learned counsel for the applicant submitted that the applicant in fact had reported on an earlier occasion and there is no intention on his part to avoid the investigation. He is willing to co-operate.

4. Learned counsel for the applicant on instructions submits that the applicant shall report to the Investigating Officer on 28th, 29th and 30th November, 2022 between 11.00 a.m. and 1.00 p.m. and thereafter, as and when called. 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.

5. Anticipatory Bail Application is disposed of.

6. In this view of the matter, the Interim Application is disposed of.

(M. S. KARNIK, J.)