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

ANTICIPATORY BAIL APPLICATION NO.3229 OF 2022

Milind Gopalji Bhinde ..Applicant

VS.

1. State of Maharashtra
2. Superintendent of Anti-Evasion
CGST, Navi Mumbai Commissionerate ..Respondents

Mr. Pradeep J. Thorat a/w Ms. Aditi Naikare, for applicant.

Mr.S.V. Gavand, APP for respondent-State.

Mr. J.B. Mishra a/w Mr. Ashutosh Mishra, for respondent
no.2-CGST.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 23, 2022

P.C. :

1. Heard learned counsel for the applicant.

2. This is an application for pre-arrest bail. The applicant is apprehending arrest in connection with File No. GSTIN-27ACYPM0320K1ZB of the CGST Department, Navi Mumbai for the offence punishable under section 132 of the Central Goods & Services Tax Act, 2017("CGST Act", for short).

3. Learned counsel appearing on behalf of the respondent no. 2 submitted that the summons (Exhibit 'A') was issued to the applicant as the allegation has been made against him by one of the accused persons who has been arrested in a case pertaining to fraudulent avilment on input tax credit without supply of goods or consignment which is an offence under section 132 of the CGST Act. The applicant instead of responding to the summons, preferred to file an application before the Sessions Court for anticipatory bail.

4. My attention is invited to the reply filed by the respondent no. 2 before the Sessions Court in response to the anticipatory bail application filed by the applicant. In paragraph 4 it has been stated that role of the applicant needs to be examined. Learned counsel for the applicant submits that the applicant had appeared before the CGST on previous occasion, but now apprehends arrest.

5. In this view of the matter, the present application can be disposed of by directing the respondent no. 2 to issue 72 hours notice to the applicant in case they want to take any

coercive steps against him. The applicant to co-operate and appear as and when directed by the respondent. The respondent no.2 to comply with section 69 of CGST Act.

6. Presently, applicant will appear on 28/11/2022 at 11.00 a.m. and thereafter as and when called.

7. The application is disposed of.

(M. S. KARNIK, J.)