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

ANTICIPATORY BAIL APPLICATION NO.3322/2022

AFTAB NOOR BANNE KHAN ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Nitin B. Patil a/w. Mr. Anthony T. Micheal for the
applicant.

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

Mr. Fadatare, API, Waliv Police Station.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 30, 2022.

P.C. :

1. This is an application for pre-arrest bail for the offence punishable under Sections 385, 420 read with 34 of the Indian Penal Code in connection with C.R.No.1032 of 2022 registered with Waliv Police Station.

2. Learned APP, on instructions of the Investigating Officer, submits that the provisions of the notice under Section 41A of the Code of Criminal Procedure (hereafter 'the Cr.PC' for short) will be duly complied with. Learned APP submits that when the investigation was ongoing, the applicant has not co-operated.

3. To show bonafides, learned counsel for the applicant, on instructions, submits that the applicant would attend the Investigating Officer at 5.00 p.m. tomorrow (December 1, 2022) and accept the notice under Section 41A of the Cr.PC.

4. The applicant to report to the Investigating Officer tomorrow (December 1, 2022) between 5.00 p.m. and 7.00 p.m. It is only after the compliance of the provisions of Section 41A of the Cr.PC and in case if the Investigating Officer wants to effect the arrest if he feels that arrest is imperative in the wake of the reasons recorded by him, he may effect the arrest after giving 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. The application is disposed of.

(M. S. KARNIK, J.)