

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

ANTICIPATORY BAIL APPLICATION NO.415 OF 2023

Maniar Furkan Mohammed Amin ..Applicant

VS.

State of Maharashtra ..Respondent

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Adv. Yogita Kanojiya h/f Adv. Ashish A. Dubey for the Applicant.

Mr. S. V. Gavand, APP for the State.

Mr. Dhanwant G. Chavan, PSI, Nagpada Police Station, Mumbai is present.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 13, 2023

P.C. :

1. This is an application for transit bail in connection with the complaint filed with Mahila Police Thana, South Bhopal, Ahmedabad, Gujarat for the offence punishable under Sections 498-A, 504 read with Section 347 of the Indian Penal Code, 1860. The applicant is the husband of the complainant. The report dated 13/02/2023 of the Police Inspector, Crime Branch, Nagpada Police Station, Mumbai has been placed on record. It has been mentioned in the said report that there is no record of the offence being registered.

2. In this view of the matter the apprehension of the applicant that he will be arrested is unfounded. Needles to mention that the investigating authorities are bound to follow the dictum in **Arnesh Kumar vs. State of Bihar and anr.**¹ As the FIR is not yet registered, it is open for the applicant to resort to the appropriate remedies before the jurisdictional Court.

3. The application is disposed of.

(M. S. KARNIK, J.)

¹ (2014) 8 SCC 273