

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 677 OF 2023**

Fayyaz Tajuddin Ansari

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Ms. Sandhya Mailagir a/w Mr. Siddharth Gaikwad and Mr. Sharad Kamble
for the Applicant.

Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 25 APRIL 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 941 of 2022 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 135, 138 of the Indian Electricity Act.

3. The allegations against the present applicant are of theft of electricity during the period from August 2013 to September 2022 worth Rs.16,32,140/-.

4. The learned counsel for the applicant submits that the applicant took the premises in question on leave and license basis from January

2019. In the support of the said submission, the learned counsel for the applicant has placed on record leave and license agreement. The prosecution has not disputed the said fact.

5. Pursuant to the order passed by this Court, the applicant has deposited the amount of Rs. 2,50,000/- with Maharashtra State Electricity Distribution Company Limited (MSEDCL). Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the applicant. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in Crime No. 941 of 2022 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 135, 138 of the Indian Electricity Act, he shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)