



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

ANTICIPATORY BAIL APPLICATION NO. 769 OF 2023

Anis Shekhlal Shaikh ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Sagar Kursija, i/b Deepali Kedar, for the Applicant.
Mr. M. G. Patil, APP for the State/Respondent.
Mr. Ajit Lakade, Sr. PI, Crime Unit-5, present.

CORAM: N. J. JAMADAR, J.
DATED: 18th OCTOBER, 2023

ORDER:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.731 of 2023, registered with Dehu Road Police Station, Pimpri-Chinchwad, for the offences punishable under Section 383, 384, 385, 386, 387, 354-A, 120-B and 500 read with Section 34 of Indian Penal Code, 1860 ("the Penal Code").
3. When the application was listed before the Court on 4th August, 2023 this Court was persuaded to grant interim bail noting that the Division Bench of this Court in Criminal WP/70/2023, WP/71/2023 and WP/72/2023 has transferred the

investigation of the subject CR No.731 of 2022 alongwith to other crimes to Crime Branch Unit-V, Pimpri-Chinchwad Commissionerate.

4. The learned APP, on instructions, submits that after investigation came to be entrusted to Crime Branch Unit-V, post completion of investigation, charge-sheet has been filed.

5. The learned Counsel for the applicant invites the attention of the Court to the orders in Cri. Bail Application Nos.305/2023 and 306/2023 passed by the learned Additional Sessions Judge granting pre-arrest bail to co-accused Adam Kottigoruk and Rajesh Sapare.

6. I have perused the observations of the learned Additional Sessions Judge in paragraphs 6 and 7 of the said order. The learned Sessions Judge has adverted to the fact that a number of complaints of illegal sale of liquor are lodged against the husband of the first informant. Reference is made to the fact that Shreejit Rameshan, the principal accused, was also released on pre-arrest bail.

7. *Prima facie*, the applicant is similarly circumstanced like co-accused Adam Kottigoruk and Rajesh Sapare. At any rate, the role attributed to the applicant does not stand on a

higher pedestal than that of Shreejit, who was released on bail in the event of arrest. Since charge-sheet has also been lodged, custodial interrogation of the applicant does not seem to be warranted.

8. I am, therefore, inclined to make the order of interim bail dated 4th August, 2023 absolute.

9. Hence, the following order.

: O R D E R :

- (i) Interim bail order dated 4th August, 2023 is made absolute on the same terms and conditions incorporated therein.
- (ii) The applicant shall regularly attend the proceedings before the jurisdictional Court.
- (iii) Application stands disposed.

[N. J. JAMADAR, J.]