

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

ANTICIPATORY BAIL APPLICATION NO. 1499 OF 2023

Nandlal Kesar Singh

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Ms. Sana Raees Khan a/w. Aditya Parmar i/b. Hulyalkar & Associates
for the Applicant.

Mr. R.M.Pethe, APP for the State.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 6th JUNE, 2023.**

P.C.

1. At the outset, learned Counsel for the Applicant seeks leave to amend the cause title so as to give local/alternative address of the Applicant. Leave granted. Cause title to be amended accordingly.

2. The Applicant apprehends his arrest in Crime No. 357 of 2018 registered at Kant Police Station, Gorakhpur, Uttar Pradesh for the offences under Section 406 of the Indian Penal Code.

3. Learned Counsel for the Applicant states that the Applicant is presently housed in Surat Central Prison Gujrat. He has been ordered to be released on bail and that he has already furnished surety and is likely to be released from Surat Central prison. Learned Counsel for the

Applicant states that the Applicant shall approach appropriate Court seeking pre-arrest bail and seeks protection till then, so as to enable him to approach the appropriate Court.

4. Learned APP has opposed the application mainly on the ground that the Applicant is presently housed in Surat Central Jail at Gujarat and that the application could have been filed before the Gujarat High Court. It is stated that the Applicant is a permanent resident of the State of Maharashtra. Copy of the passport which is placed on record also shows his address at Gorai, Borivali, Mumbai. Hence the objection of the learned APP is devoid of merits. Considering the apprehension of arrest, which in my considered view is a reasonable apprehension, the Applicant is entitled for **transit bail** for a period of 10 days to enable him to approach the appropriate Court in Uttar Pradesh. Hence the order:-

(i) In the event of arrest of the Applicant in 357 of 2018 registered at Kant Police Station, Gorakhpur, Uttar Pradesh, Applicant shall be released on **transit bail** on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two solvent sureties in the like amount;

(ii) This order shall remain in force for a period of 10 days to enable the Applicant to approach the Competent Court for seeking appropriate

relief. In the meantime, the Applicant shall not interfere with the complainant and the other witnesses in any manner.

. Application stands disposed of.

(ANUJA PRABHUDESSAI, J.)