

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

ANTICIPATORY BAIL APPLICATION NO. 1811 OF 2021

Majid Khan Abed Khan Pathan	...Applicant
Versus	
The State Of Maharashtra	...Respondent

Mr. Ansari Shahed Ali Inayat Ali, Advocate for the Applicant.

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

Mr. Prakash D. Kadam, PSI Thane Nagar Police Station, Thane City, Present.

ETHAPE
DNYANESHWAR
ASHOK
Digitally signed
by ETHAPE
DNYANESHWAR
ASHOK
Date:
2023.09.14
11:07:58 +0530

CORAM : N. J. JAMADAR, J.
DATE : 12th SEPTEMBER, 2023.

PC.:

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 C.R. No. 106 of 2021 registered with Thane City Police Station for the offences punishable under Sections 420, 465, 467, 468, 471 read with 34 of the Indian Penal Code, 1860.

3. Initially by an order dated 30th September 2021, this Court had granted interim protection in the nature of no coercive action. By further order dated 27th July 2023, this Court granted interim bail with a direction to the applicant to attend the Police Station on the specified dates.

4. The learned Counsel for the Applicant submits that, in terms of the aforesaid directions, applicant has appeared before the Investigating Officer and rendered the necessary co-operation.

5. Learned APP, on the other hand, submits that custodial interrogation of the applicant is warranted to unearth the alleged forgery of the RC Card, which was forwarded by the applicant to the R.T.O. agent.

6. From the perusal of the material on record and the statement of the HDFC Bank in response to the questionnaire sent by Investigating Officer, it becomes evident that, the applicant had purchased the subject vehicle in an auction for valuable consideration and had executed an indemnity in favour of HDFC Bank. The applicant has also annexed copies of the statements of account which evidence the payments made to HDFC Bank.

7. Prima facie, the applicant appears to be a bonafide purchaser. The applicant had co-operated with the investigation and attended the Police Station. In view of the above and at this length of time, I do not find any justifiable reason to not to make the order of interim bail absolute.

Hence, following order:

ORDER

- (i) Order of interim bail dated 27th July 2023 is made absolute.
- (ii) The applicant shall co-operate with the investigation and appear before the Investigating Officer as and when directed.
- (iii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.
- (iv) The applicant shall regularly attend the proceedings before the jurisdictional Court.
- (v) Application stands disposed.

(N. J. JAMADAR, J.)