



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2672 OF 2023**

Javed Akbar Sayyed and Ors.	...	Applicants
versus		
The State of Maharashtra	...	Respondent

Mr. Arkam Shaikh i/by Mr. Milan Desai for Applicants
Mr. R.M.Pethe, APP for State.
Mr. Surve, PSI Jogeshwari Police Station present.

CORAM: N.J.JAMADAR, J.

DATE : 21 SEPTEMBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.100 of 2023 registered with Jogeshwari Police Station for the offences punishable under Sections 420, 408 and 381 read with Section 34 of the Indian Penal Code.
3. The learned Counsel for the Applicants, on instructions, seeks leave to withdraw the application qua Javed Akbar Sayyed – Applicant No.1.
4. Leave granted.
5. The Application stands disposed as withdrawn qua Javed Akbar Sayyed – Applicant No.1.
6. The allegations against Shrikant S. Shah, Applicant No.2 primarily appear to be of theft of bundle of cloths. From the allegations in the FIR, it becomes

abundantly clear that the stolen property has already been recovered.

7. The allegations against Siraj Sattar Sayyed and Mohsin Ibrahim Shaikh – Applicant Nos.3 and 4 appear to be that of being privy to the alleged offence of theft by the applicant No.2.

8. In view of the aforesaid nature of the accusation and the punishment which the offence punishable under Section 381 of IPC entails, the custodial interrogation of the Applicant Nos.2 to 4 does not seem to be warranted for an effective investigation. I am, therefore, inclined to exercise the discretion in favour of Applicant Nos.2 to 4.

9. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant Nos.2 to 4 – Shrikant S. Shah, Siraj Sattar Sayyed and Mohsin Ibrahim Shaikh, in connection with C.R.No.100 of 2023 registered with Jogeshwari Police Station, the Applicants be released on bail on furnishing a PR bond in the sum of Rs.30,000/- each with one or two sureties in the like amount.

(ii) The Applicants shall co-operate with the investigation and report to Jogeshwari Police Station on every alternate Saturday from 10.00 a.m. to 1.00 p.m. for a period of one month.

(iii) The Applicants shall not tamper with the prosecution evidence and/or

give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicants shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(N.J.JAMADAR, J.)