

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

ANTICIPATORY BAIL APPLICATION NO. 3438 OF 2022

Sameer Abdul Rashid Arai and Ors. ...Applicants
vs.
The State of Maharashtra ...Respondent

**ALONGWITH
INTERIM APPLICATION NO. 4620 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 3438 OF 2022**

Babu Jayeshsingh Ganesh Singh Thakur ...Applicant
vs.
The State of Maharashtra and Anr. ...Respondents

**ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 604 OF 2023**

Moin S/o Ahamad Kadri ...Applicant
vs.
The State of Maharashtra ...Respondent

**ALONGWITH
BAIL APPLICATION NO. 1112 OF 2023**

Zuber Abdul Salam Divekar ...Applicant
vs.
The State of Maharashtra ...Respondent

**ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 3390 OF 2022**

Rahul S/o Pralhad Mandale ...Applicant
vs.
The State of Maharashtra ...Respondent

**ALONGWITH
INTERIM APPLICATION NO. 4326 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 3390 OF 2022**

Babu Jayeshsingh Ganesh
Singh Thakur and Anr. ...Applicants
vs.
The State of Maharashtra ...Respondent

**ALONGWITH
ANTICIPATORY BAIL APPLICATION NO. 3399 OF 2022**

Sandeep Om Prakash Vaid ...Applicant
vs.
The State of Maharashtra ...Respondent

Shirish Gupte, Sr. Counsel a/w Ms. Zehra Charania a/w Supriya Kale
- Advocate for the Applicant in ABA 3438 of 2022
Adv. Akhilesh Dubey a/w Amit Dubey a/w Mr. Uttam Dubey a/w Mr.
Varad Dubey, i/by Law Counsellors - Advocate for the Intervenor in
IA 4620 of 2022 and IA 4326 of 2022
Adv. Abhishek Kulkarni – Advocate for the Applicant in ABA 3390 of
2022 and 604 of 2022
Mr. Samir Pradhan – Advocate for the Applicant in ABA 3399 of
2022
Mr. Kuldeep Patil a/w Adv. Nikhil Hire a/w Adv. Soham Pawr a/w
Sushmita Parkar in BA 1112 of 2023

CORAM : S. M. MODAK, J.

DATE : 27th APRIL, 2023

P. C. :-

1. Even though it is true that this Court has made it clear

that today this Court is going to give priority to fresh ABA matters, I had given opportunity to the learned Advocate for the first informant to apprise this Court about what is the matter.

2. According to him, the sum and substance of the allegation is that his client/first informant is a resident of Gujrat and he was desirous of having fresh currency notes and he was contacted by some of these accused persons and they have assured him that in exchange of old and used currency notes, they will give him fresh currency notes from the RBI that is why he came to Navi Mumbai.

3. While returning back from RBI, the four wheeler in which those currency amounting to Rs. 3 to 3.5 crores were kept, was robbed. That is how initially the complaint under Section 420, 170, 120-B read with 34 of the Indian Penal Code was registered. Later on Section 395 and other Sections are added. Charge-sheet is filed against arrested accused persons who are six in numbers. Out of them, Bail Application No. 1112 of 2023 is filed for regular bail. Whereas these Anticipatory Bail Applications have been filed for protection from arrest.

4. There is charge-sheet filed in regular Bail Application. My attention is invited to the reply filed by the investigating officer

before the Court of the Additional Sessions Judge while opposing the Anticipatory Bail Applications. It is true that investigating officer has taken pains in describing individual role of those persons. Learned Advocate for the first informant submitted that thereafter also there is progress and it is not included in the charge-sheet filed.

5. Charge-sheet is bulky. So let learned Advocate for the first informant to file summary consisting of the relevant page numbers of the documents which is related to the Applicants. If it is filed that will assist the Court while hearing these applications. In addition to that let learned Advocate for the first informant, to do the pagination in the charge-sheet which is already filed.

6. In addition to that learned APP is at liberty to assist the Court by mentioning what are roles alleged against the individual accused persons.

7. Interim protection granted earlier to continue till next date.

8. In view of all this, matters be kept on **15th June, 2023** (high on board).

9. Heard learned Advocates for the first informant and learned Advocates for the Applicants. Intervention applications are

allowed and both intervention applications are disposed of.

[S. M. MODAK, J.]