

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

ANTICIPATORY BAIL APPLICATION NO. 1695 OF 2023

Mushtak Isak Tandel and Others ...Applicants

Vs.

The State of Maharashtra ...Respondent

Mr. Rupesh R. Lanjekar, Advocate for Applicant.

None for Respondent No. 2.

Mr. P. P. Deokar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 31st JULY, 2024

PC:-

1) Heard.

2) By this application under Section 438 of the Code of Criminal Procedure the applicant is seeking pre-arrest bail in connection with Crime No. 26 of 2023, registered with Guhagar Police Station, for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860.

3) This Court vide order dated 27th June, 2023 recorded the statement of the applicant that they are ready and willing to deposit an

amount of Rs.43,60,000/- received from the first informant and today the learned Counsel for the applicant has made a statement that the said amount has been deposited in this Court. Furthermore, after going through the allegations made in the FIR, I am of the opinion that custody of the applicant is not necessary. Furthermore, the applicant is protected vide order dated 27th June, 2023 and as such from last more than one year he is enjoying the protection and in between there is no complaint against the applicant about misuse of liberty.

4) In the circumstances, I am of the opinion that the application needs to be allowed and the order dated 27th June, 2023 be confirmed. Hence, I pass the following order.

ORDER

- i) The Criminal Application is allowed and disposed of.
- ii) The order dated 27th June, 2023, granting interim bail to the applicant, is confirmed.
- iii) The amount deposited by the applicant in this Court shall be transferred to the trial Court and the same shall be subject to the result of trial.
- iv) The applicant shall attend concerned Police Station as and when his presence is required.

[ANIL S. KILOR, J.]