

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

ANTICIPATORY BAIL APPLICATION NO.121 OF 2024

Ramesh Harilal Dave

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Ms. Kajal Sarvaiya a/w Nilesh Dave i/b. Asif Patel, Advocate for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 17th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.1307/2023 dated 16/10/2023, registered with Borivali Police Station, Mumbai, under section 379 of the Indian Penal Code. A copy of the FIR is not annexed to the application because it was not available. Learned counsel for the Applicant produced a copy of the FIR in the Court today. It is taken on record and marked 'X' for identification.

2. Heard Ms. Kajal Sarvaiya, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the State.
3. The FIR was lodged by one Athulya Menon on 16/10/2023. According to her, on 10/10/2023 she had boarded the train from Mahim station for going to Borivali. Then she got down at Borivali. She forgot to carry her laptop bag, which she had kept on the rack. By the time she realized that, the train had already left for Churchgate. She made enquiries. But the bag was not found and therefore she lodged this FIR.
4. The Applicant is apprehending arrest because he is covered in CCTV footage carrying some bag. The police are suspecting that it is the same bag. Learned counsel for the Applicant submitted that he has no connection with the theft and the bag which he was seen carrying, is his own bag. She further submitted that the police have not called him for interrogation, though he was under interim protection during pendency of his anticipatory bail application before the Sessions Court.

5. Learned APP submitted that the Applicant be directed to attend the police station on specific dates, so that enquiries can be made with him.
6. Considering these submissions, the application is adjourned with ad-interim relief to the Applicant and with directions to him to attend the police station.
7. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.1307/2023 dated 16/10/2023, registered with Borivali Police Station, Mumbai, till the next date, the Applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station on 01/02/2024 and 02/02/2024 in between 01.00 to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.
- (iii) This order shall operate till 16/02/2024.
- (iv) Stand over to 16/02/2024.

(SARANG V. KOTWAL, J.)