

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

ANTICIPATORY BAIL APPLICATION NO.701 OF 2024

Sudesh Kumar Verma

.... Applicant

versus

State of Maharashtra

.... Respondent

.....

- Mr. Ashwin Vasita a/w Alok D. Panday, Advocate for Applicant.
- Ms. Poonam P. Bhosale, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 12th MARCH, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.514/2023, dated 04/12/2023, registered with Dadar Police Station, Mumbai, under sections 380, 454 of the Indian Penal Code.
2. Heard Mr. Ashwin Vasita, learned counsel for the Applicant and Ms. Poonam P. Bhosale, learned APP for the State.
3. The FIR is lodged by one Mayuresh Mokal residing at Agar Bazar, Mumbai. On 03/12/2023 his family had gone to

Mahad, District Raigad. His younger brother had gone out at 10.30 a.m. He returned at 07.45 p.m. He saw that the lock on his house was broken. He immediately called the police. On inspection it was noticed that the informant's amount of Rs.50,000/- and the ornaments of the family worth Rs.50,000/- consisting of diamond earrings, were stolen. On this basis, the FIR is lodged.

4. The investigation was carried out and one Akbar @ Firoz @ Babu Sultan Saifi was arrested. During investigation he gave memorandum statement u/s 27 of the Evidence Act that after committing theft he had sold those ornaments in the Applicant's shop Shivam Jewellers in Rohtash Nagar, Shahadara, Delhi. The investigating agency did not find the Applicant. He therefore apprehends his arrest.
5. Learned counsel for the Applicant submitted that he is willing to cooperate with the investigation. He has no concern with the arrested accused.

6. Learned APP on instructions submitted that the Applicant is unavailable. Therefore, recovery of ornaments could not be effected, though the arrested accused had specifically mentioned that the ornaments were sold to the present Applicant. She submitted that similar offences were committed at Sanpada, Navi Mumbai and for the purpose of investigation, in those offence as well the Applicant's cooperation is necessary.
7. Considering these submissions, for the time being the Applicant can be directed to attend the concerned police station with interim protection. The Applicant will have to establish his bonafide by cooperating with the investigation.
8. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.514/2023, dated 04/12/2023, registered with Dadar 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 from 27/03/2024 to 30/03/2024 between 01.00 p.m. to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.
- (iii) This order shall operate till 22/04/2024.
- (iv) Stand over to 22/04/2024.

(SARANG V. KOTWAL, J.)