

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1306 OF 2024

Meghraj Kishan Sabunker ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Santosh Deshpande, for the Applicant
Ms. Gauri S Rao, APP, for the Respondent-State.

CORAM : N. J. JAMADAR, J.
DATE : 9th May, 2024

P.C.:

1. Heard the learned Counsel for the applicant and learned APP for the State.

2. This is an application for pre-arrest bail in C. R. No. 310 of 2023 registered with the Nagpada police station for the offences punishable under Section 170, 341, 347, 363, & 395 of Indian Penal Code, 1860.

3. The learned Counsel for the applicant submits that the co-accused who was arrested has been released on bail by this Court. The applicant was neither named in the FIR nor his role is disclosed in the gist of the prosecution case. The applicant has been implicated on the basis of disclosure statements made by the co-accused under Section 27 of the Indian Evidence Act, 1872.

4. The learned APP resisted the prayer for bail. It was submitted

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that the applicant has been named by all the six co-accused who were arrested. Custodial Interrogation of the applicant is, therefore, warranted to facilitate further investigation.

5. FIR was lodged against unknown persons. The applicant has been arraigned primarily on the basis of the statement of the co-accused. In the circumstances, it may be expedient to protect the liberty of the applicant while directing him to join in the investigation. If the investigation reveals the complicity of the applicant, the same can be considered at the stage of final adjudication of the application.

6. Hence the following order:

ORDER

i. In the event of arrest of the applicant in connection with CC. R. No. 310 of 2023, registered with registered with the Nagpada police station for the offences punishable under Section 170, 341, 347, 363, & 395 of Indian Penal Code, 1860, the applicant be released on bail on executing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

ii. The applicant shall co-operate with the investigation and attend Nagpada police station on 15th, 16th and 17th May 2024 between 10.00 am to 01.00 pm and, thereafter, as and when directed.

- iii. The applicant shall not temper with the prosecution evidence and/or give threat or inducement to the first informant and any of the persons acquainted with the facts of the case.
- iv. The applicant shall regularly attend the proceedings before the jurisdictional Court.
- v. Stand over to 24th June, 2024.

(N. J. JAMADAR, J.)