

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

Anticipatory Bail Application No.1542 of 2024

Mr Vishvanath Kumar Ashok Sah
Aged 29 Years, Occ: Business
Residing at Ward No.10, Parsauni Bisfi
Madhubani, Parsauni Madhubani,
Bihar-847223

... Applicant.

Vs.

The State of Maharashtra
(through Mahim Police Station)

.... Respondent.

Mr Sharikh M. Khan for the applicant.

Mr Nitin B. Patil, APP for the respondent/State.

PSI Machhindra Sanap, Mahim Police Station, Mumbai
present.

Coram : R.N. Laddha, J.

Date : 11 June 2024.

P.C.:

Heard Mr Sharikh Khan, the learned Counsel for the
applicant and Mr Nitin B. Patil, the learned APP for the
respondent/State.

2. This is an application for pre-arrest bail filed by the
applicant, apprehending arrest in CR No.392 of 2023,
registered with Mahim Police Station, Mumbai, for the

offences punishable under Sections 380, 457, 411 and 511 r/w 34 of the Indian Penal Code.

3. The prosecution alleges that the applicant and his brother knowingly received the stolen property, gold ornaments weighing 296.98 gms and cash amount of Rs.2,25,000/-.

4. Learned Counsel for the applicant submits that the applicant was unaware of the incident. The applicant's brother has purportedly acknowledged receiving the stolen property and has already obtained bail from the Magistrate's Court. The only piece of evidence against the present applicant is the statement provided by the co-accused. There are no prior criminal records associated with the applicant, and he is willing to cooperate with the investigation.

5. On the other hand, the learned APP contends that during the investigation, the statements of the co-accused and witnesses were recorded, revealing the applicant's name.

6. Upon perusal of the records, it appears that there are witnesses who implicate the applicant in the present crime. The investigation is still at nascent stage. A specific allegation

has been made that the applicant accepted the stolen articles. Considering all these aspects and the fact that the investigation is still in progress, the learned APP's argument against granting anticipatory bail appears justified. The custodial interrogation of the applicant would be necessary for further investigation into the matter.

7. In view of the above, the application stands rejected.

[R. N. Laddha, J.]