

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 1206 OF 2023**

Sunil Harihar Yadav

... Applicant

Versus

State of Maharashtra

... Respondent

WITH**ANTICIPATORY BAIL APPLICATION NO. 2885 OF 2022**

Sayaji Ramchandra Kamble

... Applicant

Versus

State of Maharashtra

... Respondent

.....

Mr. Nitin Satpute a/w. Rachit Singh, Mr. Deepak Jagdev and Sufiya Ansari,
Advocates for the Applicant in ABA/1206/2023.

None for the Applicant in ABA/2885/2022.

Mr. Kiran C. Shinde, APP for the State.

PI – Suhas S. Kurane, Shirol Police Station, Kolhapur present.

CORAM : SHIVKUMAR DIGE, J.

DATED : 14th FEBRUARY, 2025.

P.C. :

1. The applicants apprehends arrest in C.R.No. 172 of 2022 registered with Shirol Police Station, Kolhapur for the offences punishable under Sections 406, 409, 419, 420, 467, 468, 471 read with 34 of Indian Penal Code, 1860 and under Section 3 and 4 of Maharashtra Protection of Interest of Depositors Act, 1999 (“MPID Act”) and under Sections 21(1)(2) (3), 22 and 23 of the Banning of Unregulated Deposit Scheme Act, 2019 (“BOUDS Act”).

2. Learned counsels for the applicants in both Anticipatory Bail Applications submit that the police has registered crime in above referred Sections and the Investigating Officer has served notices under Section 41(A)(1) of Code of Criminal Procedure (“Cr.P.C.”) to the applicants hence they are apprehending their arrest in the above crime.

3. It is contention of learned APP that Anticipatory Bail Application filed by the applicants are premature, as the applicants did not appear before the investigating officer nor cooperating in investigation, they have filed only written submissions, hence requested to reject the applications.

4. I have heard all the learned counsel. Perused FIR and documents produced on record. The Notices under Section 41(A)(1) of Cr.P.C. are given to the applicants. The applicants have not appeared before the Investigating Officer. Considering these facts, applicants to appear before the Investigating Officer and cooperate in the investigation. If Investigating Officer intends to arrest the applicants he shall give notice of 48 hours to the applicants before their arrest.

5. In view of above, both the applications are disposed of.

(SHIVKUMAR DIGE, J.)