

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

ANTICIPATORY BAIL APPLICATION NO. 1055 OF 2025

Mohamad Abdul Raheman Malik
@ Abdul Khan Vari Mallick

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Nizamuddin Khan a/w Ms. Sheeba Khan and Ms. Nafeesa Khan,
learned Advocates for the Applicant.

Ms. Megha Bajoria, learned A.P.P. for the State/Respondent.

PI Mr. Nilesh Patil, ACB, Mumbai present in the Court.

**CORAM : ASHWIN D. BHOBE, J.
[VACATION COURT]**

DATE : 3rd JUNE 2025.

P.C. :

1. Heard Mr. Nizamuddin Khan alongwith Ms. Sheeba Khan and Ms. Nafeesa Khan, learned Advocates for the Applicant and Ms. Megha Bajoria, learned A.P.P. for the State/Respondent.

2. By the present Application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("**BNSS**" for short), the Applicant before this Court is seeking anticipatory bail in respect of Crime No. 700 of 2024 registered with Amboli Police Station, Mumbai for the offence punishable under Sections 420, 465, 468 and 471 read with 34 of the Indian Penal Code, 1860.

3. Case of the prosecution is that upon a complaint being filed by the Deputy Regional Transport Officer, Regional Transport

Office, Mumbai in respect of illegal registration of the vehicles from outside the State of Maharashtra by forging documents, the abovesaid crime was registered. Vehicles involved in the crime are 87 in number. There are 12 accused in the said crime. Out of 12 accused in the said crime, 6 accused have been enlarged on regular bail. The remaining 6 accused are absconding.

4. Anticipatory Bail Application No. 483 of 2025 filed by the Applicant was dismissed by the Court of learned Sessions Judge, Dindoshi, Borivali Division, Goregaon (East), Mumbai by order dated 15th April 2025.

5. Mr. Nizamuddin Khan, learned Advocate for the Applicant submits that the Applicant is dealing in vehicles and he had bonafidely purchased 2 Eicher Bus/Truck vehicles in the State of Maharashtra and thereafter sold the same to the purchasers. He states that the only allegation against the Applicant is as found on Page No. 45 of the Application Paper-book, wherein there is a reference made to the Applicant being in touch with other 2 accused viz. Mr. Shailesh Dilip Patil and Mr. Albert Jockey D'Souza. He submits that apart from the said allegation, there is no material on record to indicate the involvement of Applicant in the crime. He submits that the said Mr. Shailesh Patil and Mr. Albert D'Souza have been released on bail by the learned Judicial Magistrate First Class, 44th Court, Andheri, Mumbai by order dated 16th December 2024. He submits that the investigation is complete and charge-sheet has been filed and therefore, the custodial interrogation of Applicant is not required. He submits that the Applicant has co-operated and is willing to co-operate in any further investigation,

as may be required.

6. Ms. Megha Bajoria, learned A.P.P. for the State/Respondent submits that the crime pertains to a scam, wherein vehicles from other states and/or the vehicles which could not have been registered, were registered in the State of Maharashtra by creating false documents with the involvement of government officials. She submits that the crime is required to be thoroughly investigated to unearth the truth and involvement of other vehicles or other officers. She submits that charge-sheet has been filed before the learned Judicial Magistrate. She doesn't dispute the two persons Mr. Shailesh Patil and Mr. Albert D'Souza being released on bail. She submits that custodial interrogation of the Applicant is required to verify the exact transaction between the Applicant and Mr. Shailesh Patil and Mr. Albert D'Souza and further to ascertain as to in whose name the vehicles have specifically been transferred.

7. The involvement of Applicant in the present crime is as a dealer, who was in contact with Mr. Shailesh Patil and Mr. Albert D'Souza. Role of the Applicant, as indicated in the charge-sheet, is to the said extent. Mr. Shailesh Patil and Mr. Albert D'Souza have been released on bail.

8. Considering the nature of allegations against the Applicant and the charge-sheet having been filed, I find that custodial interrogation of the Applicant in the present crime is not necessary.

9. In view of the above, the Applicant is secured by pre-arrest bail, subject to the following conditions :-

- a. In the event of arrest of the Applicant in Crime No. 700 of 2024 registered with Amboli Police Station, Mumbai, the Applicant shall be released on furnishing PR Bond in the sum of Rs. 50,000/- (Rupees Fifty Thousand Only) with one or two sureties in the like amount.
 - b. Applicant shall report/attend before the concerned Investigating Officer, Amboli Police Station, Mumbai on 11th, 18th and 25th June 2025 from 10.00 a.m. to 2.00 p.m. and on any other day as and when required by the Investigating Officer, Amboli Police Station, Mumbai.
 - c. Applicant shall co-operate with the investigation.
 - d. Applicant shall not interfere or influence any of the witnesses or tamper with the evidence in any manner.
 - e. Applicant shall appear before the concerned Court as and when cognizance is taken by the Court.
 - f. Applicant shall furnish his residential address with proof and contact details/mobile numbers to the Investigating Officer on or before 11th June 2025.
10. In view of the above, Anticipatory Bail Application No. 1055 of 2025 stands allowed.

[ASHWIN D. BHOBE, J.]