

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2405 OF 2025**

Anwar Liyaqat Khan ... Applicant
V/s.
State of Maharashtra ... Respondent

**WITH
INTERIM APPLICATION NO.3776 OF 2025
IN
ANTICIPATORY BAIL APPLICATION NO.2405 OF 2025**

Mr. Mihir Desai, Senior Advocate i/by Sandeep S. Sharma for the Applicant.

Mr. V. N. Sagare, APP for the Respondent-State.

Mr. Abhijeet Suresh Sarnobat for the Intervenor-first informant.

Mr. Vijay Gore, API, Parksite PS is present.

**CORAM : N.R. BORKAR, J.
DATE : 15TH OCTOBER 2025**

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PC. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.602 of 2025 registered with Parksite Police Station for the offences punishable under Sections 316(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It is the case of the prosecution that the Applicant and co-accused falsely represented to the first informant that they are in need of money for registration of certain immovable property pursuant to decree of civil court in their favour and thus they need investor. It is alleged that they promised him good returns on his investment. It is alleged that on the basis of said false representation, they defrauded him to the tune of Rs.40,00,000/-.

4. Learned Senior Counsel for the Applicant has tendered the Affidavit cum Undertaking of the Applicant. The same is taken on record and marked 'X' for the purpose of identification. For the ease of reference the Affidavit cum Undertaking is reproduced hereinbelow:

*Tendered in Court by Id. Adv. for
Appn. On 15/10/2025 taken on
Record & marked "X"*

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2405 OF 2025

ANWAR LIYAQAT KHAN
VERSUS
STATE OF MAHARASHTRA

...APPLICANT
...RESPONDENTS

AFFIDAVIT CUM UNDERTAKING

I, Anwar Liyakat Khan, the Applicant abovenamed, having address at 204/C, Jai Hind CHSL, Malvani, Malad (w), Mumbai – 400 049 do hereby state as under;

1. I say that I am willing to repay the amount of Rs.40,00,000/- (Rupees Fourty Lakhs Only) to **Mr. Mohd. Hussain Pathan**, but for the same, I require atleast ~~24 weeks' time~~ ^{4 months} *Mf*
2. I say that, in order to show my bonafide, I ready to repay the amount of **Rs.5,00,000/-** (Rupees Five Lakhs Only) immediately within 3 days after my Bank of Baroda's Saving Bank Account is defreezed by the Bank personnel with the Order of this Hon'ble Court (*frozen by the Bank on instructions of Park Site Police Station after registering FIR*) and thereafter, I undertake to repay the balance amount of **Rs. 35,00,000/-** (Rupees Thirty-Five Lakhs Only) within 4 months from the date of the 1st instalment of amount is paid.
3. I say and submit that I am ready to face the consequences, in case of default in repayment of the aforesaid amount fully and/or partially within the period of ~~24 weeks~~ ^{4 months} to the Said Informant / Complainant, **Mr. Mohammed Hussain Pathan**.



AB 4. I ~~am abiding~~ ^{will abide} by the aforesaid statements made by me in the present Affidavit cum undertaking.

Solemnly declared in Mumbai)
On this 15th day of October 2025)

AB
Before me,

Explained, Interpreted and
Identified by me

[Signature]
Advocate for Applicant



BEFORE ME

[Signature]
Adv. S. N. Dhanage
Notary Govt. of India
Regd. No. 15376, MUMBAI (MS)
404-405, 4th Floor, Davar House,
97/199, Near Central Camera Bldg.
J. N. Road, Fort, Mumbai - 400001.
Mob.: 8591897834

NOTED & REGISTERED
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Date 15 OCT 2025



5. Learned Counsel for the Intervenor-first informant, on instructions, submits that appropriate order may be passed in view of the above Affidavit cum Undertaking filed by the Applicant, which is acceptable to the first informant.

6. Considering the facts and circumstances, the following order is passed:

ORDER

- i. The Anticipatory Bail Application is allowed.
 - ii. In the event of the arrest of the Applicant in Crime No.602 of 2025 registered with Parksite Police Station for the offences punishable under Sections 316(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail on furnishing a PR Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
 - iii. Liberty is granted to the first informant to file an application for cancellation of present anticipatory bail in case the Applicant commits default in paying the amount in terms of the Affidavit cum Undertaking filed by him.
7. The investigating officer shall instruct the Bank of Baroda to defreeze the bank account of the Applicant.
8. The present Anticipatory Bail Application is disposed of in the aforesaid terms.
9. The intervention application also stands disposed of.

(N.R. BORKAR, J.)