

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 2355 OF 2025

Daniel Gitau Muniyi ...Applicant

***Versus***

Union of India And Anr. ...Respondents

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**Ms.Ashwini Achari a/w Mr. Anish Pereira i/b Mr. Taraq Sayed**, for the Applicant.

**Mrs. Geeta S. Nayyar**, for the Respondent No.1.

**Mr. Shailesh S. Ghag, APP**, for the Respondent No.2- State.

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**CORAM: R. M. JOSHI, J.**

**DATED: 23<sup>rd</sup> MARCH, 2026**

**PC:-**

1. Learned Counsel for the Applicant essentially seeks bail on the ground that the Applicant was not produced before the Magistrate within twenty four hours of his arrest. It is her contention that though formal arrest has been shown at 11:05 p.m. on 3<sup>rd</sup> December 2022, he was produced before the Magistrate on 4<sup>th</sup> December 2022 at 2:05 p.m. It is her further submission that the panchanama has concluded at 12:30 p.m. on 3<sup>rd</sup> December 2022 and therefore the Applicant is been to have in his custody of the Officer after the cognizable offence being made out against him. She places reliance on number of Judgments / Orders to support her submission.

2. This Court has asked specific query to the Counsel for the Applicant that at what time it would be said that the cognizance

of the offence committed by the Applicant is taken by officer and also to point out any Judgment/Orders which deals with the issue of the alleged claim of the accused of his non production in hours and not in days or more. It is also asked to the Learned Counsel for the Applicant to satisfy this Court as to whether it would be open for this Court to record any findings on facts on an issue which requires evidence for its proof.

3. Learned Counsel for the Applicant seeks time to respond to the queries.

4. At her requests, stand over to **2<sup>nd</sup> April 2026**.

(R. M. JOSHI, J.)

VDMokal/-