

MHCC050064902022



**IN THE COURT OF SESSIONS AT DINDOSHI,
BORIVALI DIVISION, GOREGAON, MUMBAI.**

**ANTICIPATORY BAIL APPLICATION NO.1941 OF 2022
IN
C.R.NO.321 OF 2022**

Ajeet Kumar Ranjeet Saah,
Aged : 25 years, Occu: Service,
Residing at :C/o Brijesh Gupta, Bablu
Birju Apartment, Kalina Market, Behind
Union Bank, Santacruz (East), Mumbai-29. **...Applicant/accused.**

V e r s u s

**The State of Maharashtra
(Amboli Police Station) ...Respondent.**

Shri Siddharth Sharma, Advocate for the Applicant/accused.
Shri Sachin Jadhav, A.P.P for the State.

**CORAM : A.Z.KHAN,
Additional Sessions Judge,
Borivali Division, Dindoshi, Mumbai.
(C.R.NO.09)
Dt.10th January, 2023.**

O R D E R

1. The present application is filed by the applicant/accused

for the Anticipatory Bail. Perused the application and say thereon vide Exh.3. Heard the learned advocate Shri Siddharth Sharma for the applicant/accused & the learned A.P.P Shri Sachin Jadhav for the State. I have gone through the case papers, say of the police and the documents. It is seen that the present applicant/accused alongwith the other accused alleged to have been committed the offences punishable u/s 381 r/w 34 of The Indian Penal Code in C.R No.321 of 2022 wherein the offence is registered in Amboli Police Station, Mumbai.

2. It is pertinent to note here that the report lodged by the complainant namely Durgacharan Jamuna Dt.02.05.2022 along with the statements of the witnesses and the documents filed by the parties on record etc clearly shows that the complainant has a company namely A Plus Edits whereby he used the business of the editing wherein the present applicant/accused was a Peon but the present applicant/accused alongwith the other accused committed the theft of Hard-Drive, Keyboards, Mouse & Speakers etc worth Rs.1,45,000/- in the month of January 2022 whereby the complainant lodged the report in which the police investigated the matter and recorded the statements of the witnesses and arrested 02 accused & seized the theft property partially.

3. Obviously, the report and documents filed by the parties clearly shows that the complainant has a company namely A Plus Edits whereby he used to the business of the editing wherein the present applicant/accused was a Peon but the present applicant/accused alongwith the other accused committed the theft of the Hard-Drive, Keyboards, Mouse & Speakers etc worth Rs.1,45,000/- in the month of

January 2022 and police arrested 02 accused from whom the partial recovery is made. No doubt, the huge amount of recovery are yet to be done the present case whereby the custodial interrogation of the present applicant/accused is indeed essential otherwise the right to interrogate the present applicant/accused by the investigation Officer would be taken away which would certainly affect the case of the prosecution & ultimately the case of the complainant on merit.

4. In such circumstances, I am of the view that this is not the fit case in which the applicant/accused can be released on anticipatory bail u/s 438 of The Cr.P.C & thus I proceed to pass the following order.

ORDER

The application is hereby rejected.

(A.Z.Khan)

Additional Session Judge,
Borivali Div, Dindoshi,
Mumbai.

Date :- 10.01.2023.

Dictated on	: 10.01.2023.
Transcribed on	: 10.01.2023.
Checked and Signed on	: 10.01.2023.

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

10.01.2023 at 05.50 P.M.
UPLOAD DATE AND TIME

Ashok S. Sugdare
NAME OF STENOGRAPHER

Name of the Judge (With Court room no.)	SHRI. A. Z. KHAN (C.R. NO.09)
Date of Pronouncement of JUDGMENT/ ORDER	10.01.2023
JUDGMENT/ORDER signed by P.O. on	10.01.2023
JUDGMENT/ORDER uploaded on	10.01.2023