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MHCC020168992022



**IN THE COURT OF SESSIONS FOR GREATER MUMBAI AT MUMBAI
ANTICIPATORY BAIL APPLICATION NO. 2756 OF 2022**

Birendra Kumar Bhagwan Chaudhary]
Age : 23 years, Occ.: Profession,]
R/at : Old MHADA, Andheri (West),]
Mumbai – 400 081.]...Applicant/accused

Vs.

The State of Maharashtra]
(Through V.P. Road police station)] Respondent

Appearances :-

Ms. Sakhi S. Dube, Ld. Advocate for the Applicant.
Ms. Ratnavali Patil, Ld. SPP for the Respondent/State.

**CORAM : H. H. THE ADDL. SESSIONS JUDGE,
SHRI A.A. KULKARNI (C.R. NO.24)
DATED : 17TH DECEMBER, 2022
(O R A L O R D E R)
(Dictated and pronounced in the open Court)**

This is an application under Section 438 of Cr. P.C. for anticipatory bail. Heard Ld. Advocate for applicant and Ld. APP for the State. Perused the application, say and documents on record.

2. Ld. Advocate for the applicant submitted that on the basis of information of informant, V.P. Road police station registered crime No.492/2022 under Sections 408, 420 of IPC against accused Bhakharsing Purohit. In connection with the investigation of case, police issued notice to applicant under Section 160 of Cr. P.C. and called him

:2:

to appear before investigating officer within three days. Applicant alleged that police officers are asking him to deposit amount. Therefore, he has having apprehension of his arrest. Hence, by way of this application, prayed for grant of anticipatory bail in the event of his arrest.

3. Ld. APP and investigating officer filed say Exh.2 and opposed the application. It is their contention that involvement of applicant is not established and till today applicant is not arraigned as accused. Hence, prayed for passing appropriate order.

4. In view of submissions of both sides, applicant is not called as accused in connection with investigation of case. Only notice as witness is issued on 10.12.2022. Further, investigating officer and Ld. APP made it clear that applicant is not arraigned as accused in connection with case. In such circumstances, I am of the opinion that there is no ground for apprehension of arrest exist. Hence, application is liable to be rejected. Hence, I pass the following order :-

ORDER

Anticipatory Bail Application No.2756 of 2022 is rejected and disposed of accordingly.



Date : 17.12.2022

**[A.A. KULKARNI]
ADDITIONAL SESSIONS JUDGE
GREATER MUMBAI**

:3:

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”		
Upload Date	Upload Time	Name of Stenographer
20.12.2022	5.00 p.m.	PRAJWALA V. PHODKAR
Name of the Judge (With Court Room No.)	HHJ SHRI. A.A. KULKARNI (CR 24)	
Date of Pronouncement of JUDGMENT /ORDER	17.12.2022	
JUDGMENT /ORDER signed by P.O. on	20.12.2022	
JUDGMENT /ORDER uploaded on	20.12.2022	