

MHCC050061672022



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

**ANTICIPATORY BAIL APPLICATION NO.1848 OF 2022
IN
C.R.NO.603 OF 2022**

**MOMINA WASIM SHAIKH @
MANDA SUDAM DHAVSE,**

Aged : 37 years, Occu.:

Residing at : Mata Elvira Society,

Siddharth Nagar, Mhada, Four

Bungalow, S.V.Road, Andheri (East)

...Applicant/accused.

V e r s u s

**The State of Maharashtra
(Versova Police Station)**

...Respondent.

Shri V.N Bhandare, Advocate for the Applicant/accused.
Miss Usha Jadhav, A.P.P for the State.

**CORAM : A.Z.KHAN,
Additional Sessions Judge,
Borivali Division, Dindoshi, Mumbai.
(C.R.NO.09)
Dt.10th December, 2022**

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 V.N Bhandare for the applicant/accused & the learned A.P.P Miss Usha 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 alleged to have been committed the offences punishable u/s 135 & 138 of Electricity Act in C.R No.603 of 2022 wherein the offence is registered in Versova Police Station, Mumbai.

2. It is pertinent to note here that the report lodged by the complainant Mihir Ashok Aafle who is the Senior Manager of the Adani Electricity Co. Ltd., (Vigilance Dept) and the statements of the witnesses and seizure panchnama etc clearly shows that the complainant had been to the spot of the incident on 02.11.2022 at Siddharth Nagar, SVP Mhada, Versova, Opp Kiran Buidling, Andheri (West), Mumbai alongwith the other members where he found that the present applicant/accused committed the theft of the electricity of Rs.2,11,929/- illegally by putting wire etc whereby he prepared the spot cum seizure panchnama in the presence of the panchas.

3. Obviously, the present applicant/accused is the woman and all the substantial investigation is completed by the Investigation Officer but the present applicant/accused is ready to pay the said amount of Rs. 2,11,929/- by virtue of the Undertaking vide Exh.4. Nothing has to be seized from the present applicant/accused. The applicant/accused is the permanent resident of Mata Elvira Society, Siddharth Nagar, Mhada, Four Bunglow, S. V. Road, Andheri (East) & The applicant/accused is

ready to abide all the terms & conditions imposed by the Court & thus the purpose of the Investigating Officer would be solved if some reasonable conditions are imposed.

4. In such circumstances, I am of the view that this is 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 allowed.

The applicant/accused **MOMINA WASIM SHAIKH @ MANDA SUDAM DHAVSE** be released in the crime bearing No.603 of 2022 u/s 135 & 138 of Electricity Act registered by Versova Police Station on furnishing P.R & S.B of Rs.15,000/- (Rupees Fifteen Thousands Only) with one surety each in the like amount in the event of the arrest.

The applicant/accused shall not tamper with the prosecution evidence in any manner.

(A.Z.Khan)
Additional Session Judge,
Borivali Div, Dindoshi,
Mumbai.

Date :- 10.12.2022.

Dictated on	: 10.12.2022.
Transcribed on	: 10.12.2022.
Checked and Signed on	: 10.12.2022.

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

10.12.2022 at 06.00 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	10.12.2022
JUDGMENT/ORDER signed by P.O. on	10.12.2022
JUDGMENT/ORDER uploaded on	10.12.2022