

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2712 OF 2015.

BANDU BABURAO MAHAJAN & OTHERS.
VERSUS
THE STATE OF MAHARASHTRA & OTHERS.

Appearance =>

Mr. Anandsing Bayas, Advocate for the Applicants.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 31st July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of anticipatory bail, since they are apprehending their arrest in connection with CR No.3004/2015 registered with Police Station, Shirur Anantpalo, District - Latur for the offences punishable under Section/s. 39, 42, 45 and 46 of the Maharashtra Money Lending (Regulations) Act, 2014.

[2] Heard Mr. Anandsing Bayas, learned counsel for the Applicants and Mr. V.H. Dighe, learned Additional Public Prosecutor.

[3] Applicant No.1 is serving as Engineer with Irrigation Department. Applicant No.2 is Architect and son of Applicant No.1; where-as Applicant No.3 is another son of Applicant No.1 and is a student. Name of father of Applicant No.1 was Baburao Mahajan.

[4] According to the First Information Report, Vitthal Kishanrao Gadime, resident of village Turakwadi, Taluka - Shirur Anantpalo, District – Latur gave complaint to the District Deputy Registrar, Co-Operative Societies on 9th July, 2007 against Baburao Mahajan that he deals with illegal money lending business. On the basis of that on 23rd July, 2007 an enquiry was conducted and thereafter present Crime is registered.

[5] Admittedly, Baburao Mahajan is expired in the year 2007 itself. Even from the prosecution case, entire incident of illegal money lending is prior to the year 2007. According to the First Information Report certain documents are found pertaining to the year 2007 and prior to 2007 in the house of Baburao Mahajan and therefore, offence is registered against the applicants.

[6] In that view of the matter, the Applicants have made out a prima facie case in their favour for grant of anticipatory bail. Hence, following order is passed :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Order dated 26th May, 2015 passed by the Vacation Judge (Coram : Smt. Sadhana S. Jadhav, J.) stands confirmed.
- (iii) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)