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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.5103 OF 2015

Sataji @ Satyajit Shashikant Baswanti ..APPLICANT

VERSUS

The State of Maharashtra ..RESPONDENT

Mr S.B. Talekar, Advocate for applicant;
Mr G.O. Wattamwar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th October, 2015

ORAL ORDER :

Heard.

2. By the present application, the applicant seeks bail, in the event of his arrest, in connection with C.R. No.187 of 2015, registered with Tuljapur Police Station, Osmanabad, for offences punishable under sections 420, 467, 468, 471, 506, 120-B read with section 34 of the Indian Penal Code and section 66 (d) of the Information Technology Act.

3. While trying to make out a case for grant of pre-arrest bail, Mr Talekar, learned Counsel appearing on behalf of the applicant, would urge that the applicant has already initiated divorce proceedings against the main accused in the present crime, namely, Aparna, who happens to be the wife of the present applicant. He would further urge that the custodial interrogation of the present applicant is not necessary in the crime in question, as three accused, namely, Aparna, Kunal Gandhi and Suresh Bhosekar are already arrested.

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4. Learned Addl. Public Prosecutor, while opposing the application, would urge that custodial interrogation of the present applicant is very much necessary, having regard to the nature of the offence alleged against the applicant, in connivance with his wife. He would further urge that the alleged story of divorce is not supported by any documentary evidence. He would urge that the applicant is avoiding the investigation, so also the Court process since the date of registration of the offence. He would further urge that the nature of the offence committed by the applicant is having adverse effect on the society and, therefore, prayed for rejection of the application.

5. With the assistance of the learned Counsel appearing on behalf of the applicant and learned Addl. Public Prosecutor, I have perused the contents of the first information report, other documents and the case diary. There is sufficient evidence available against the present applicant depicting his involvement in the commission of crime, which has colour of economic offence.

6. The amount that is subject-matter of the crime is not completely recovered during investigation and interrogation of accused nos.1 to 3, though they are released on regular bail after filing of charge-sheet.

7. In view of above and having regard to the fact that there is *prima facie* involvement of the present applicant in the crime in question, in my opinion, no case for grant of pre-arrest bail is made out. Criminal Application, therefore, stands rejected.

(N.W. SAMBRE, J.)

amj