

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 313 OF 2015**

Ankush Lahu Rawale

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. R. S. Jadhav i/b Mr. Nitin B. Patil for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

THURSDAY, 5TH MARCH, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-384 of 2014 registered with the Vartak Nagar Police Station, Thane, for the alleged offence punishable under Section 379 of the Indian Penal Code.

3. Learned Counsel for the applicant contends that he is the complainant, who had lodged a missing complaint, with regard to the theft of his Maruti Swift Car, with the Vartak Nagar Police Station. He submits that his custody was taken by the Crime Branch, Unit 10 in connection with C.R. No. 6 of 2015 and also by Virar Police Station in connection with C.R. No. 141 of 2014 and that the custody of the applicant is not required in the present case, as the case has also been investigated by the Crime Branch, Unit-10. He submits that with regard to the applicant's complaint for the theft of his Maruti Swift, the same has been recovered. He submits that the custodial interrogation of the applicant is not required.

4. Learned A.P.P opposed the bail application. She contended that the applicant was lodging missing complaints with regard to his vehicles, with various police stations and was applying for insurance money. She submits that the modus operandi of the applicant is to lodge a complaint and then claim insurance money. She submits that he had lodged similar complaints for theft of his vehicle, with Crime Branch, Unit-10, with the Virar Police Station and with the Nirmal Nagar Police Station

with regard to theft of a Hero Honda Motorcycle and Mahendra Scorpio. She submits that in the present C.R., the applicant has not applied to the Insurance Company.

5. Perused the papers of investigation. It appears that the modus operandi of the applicant is to lodge complaints with various police stations and claim insurance money. Although in the present case, he has not claimed insurance, *prima facie* it appears that this is the modus operandi of the applicant. It also appears that the applicant is arrested in connection with C.R. No. 6 of 2015 registered with the Crime Branch, Unit-10 as well as C.R. No. 141 of 2014 lodged with the Virar Police Station and C.R. No. 84 of 2012 registered with Nirmal Nagar Police Station. Although it appears that he has been released on bail in all the aforesaid C. Rs., custody of the present applicant would be necessary in the present case.

6. Considering the peculiar facts, it is not in the interest of justice to release the applicant on anticipatory bail. However, if an application for regular bail is filed by the applicant, the learned Judge shall decide the

same on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. The application is disposed of accordingly.

REVATI MOHITE DERE, J.