

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 730 OF 2015

Rammurat Bodai Singh. ... Applicant.

Versus

The State of Maharashtra. ... Respondent.

Mr. Raviraj R. Paramane, advocate for Applicant.

Ms. Rajeshree Gadhvi, APP for State.

CORAM : SMT. SADHANA S. JADHAV,J

DATE : JUNE 10, 2015

P.C.:

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is an application under Section 438 of the Code of Criminal Procedure, 1973. The applicant herein is apprehending his arrest in Crime No. 17 of 2015 registered at NRI Sagari Police Station, Navi Mumbai for offence punishable under Section 420, 417, 419, 468, 471, 120B read with section 34 of the Indian Penal Code.

3 It is the case of the prosecution that on 3/2/2015 Rashid Kasam Khot lodged a report at the police station alleging therein that he was introduced to one Vinay Singh through his friend. That Vinay Singh happens to be proprietor of Nayana Enterprises. They are dealing with land. According to him, he was introduced with one Nishikant Bhoir. That Nishikant Bhoir had shown him the documents pertaining to a piece of land. All the papers were in the name of Niranjana Ravi Godbole and Mansur Hundekar. Niranjana Godbole was shown as a protected tenant and Sharif Hundekar happens to be owner of the land. The complainant had learnt that the said land was being sold in favour of Vinay Singh and Nishikant Bhoir. It is alleged that the son of the present applicant happens to be a friend of Nishikant Bhoir. That photograph of the applicant was affixed on the application made to Andhra Bank. An account was opened in the name of Sharif Hundekar. The disputed cheques were deposited in the account of Sharif Hundekar and the amount was shown to be withdrawn by Nishikant Bhoir.

4 It is pertinent to note that main allegations are levelled against Nishikant Bhoir. That Nishikant Bhoir has been granted regular bail, whereas Vinay Singh who happens to be the son of the present applicant has been granted pre-arrest bail. He has deposited the amount of Rs. 1,28,000/- before the Court of Judicial Magistrate, First Class. Prima facie it appears that the photographs of the applicant were misused without his knowledge and hence, applicant deserves grant of pre-arrest bail.

5 The observations made hereinabove are prima facie in nature. The same shall not be considered at the time of hearing the application for discharge or quashing of FIR or at the time of trial. The concerned Court shall decide the matter on its own merits.

6 Hence following order is passed:

ORDER

(i) The application is allowed.

(ii) In the event of arrest in Crime No. 17/2015 registered at NRI Sagari Police Station, Navi Mumbai, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.

(iii) The applicant shall report to the concerned police station on four consecutive Sundays between 10 a.m. to 12 p.m. and cooperate with the investigating agency to the best of his capacity.

7 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)