

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1181 OF 2015

Amit Shivaji Yadav ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Aniket Nikam, for the Applicant.
Mr. S.S. Pedenekar, APP for the Respondent-State.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **AUGUST 12, 2015**

P.C.:

Not on board. Upon mentioning taken on board.

2. The application is moved for pre-arrest bail as the applicant/accused is apprehending arrest for the offences punishable under Sections 407, 408, 420 read with 34 of the Indian Penal Code in C.R. No. 126 of 2015 registered with Vaduj police station, Satara. The offence is registered at the instance of one Ashok Prabhu who is the Manager, (Customer Service Delivery), at Scientific Security Management Services Pvt. Ltd., Bhandup.

3. It is the case of the prosecution that the complainant's company is outsourced by the State Bank of India and the Bank of

Maharashtra for the purpose of depositing money in their respective ATM machines. Out of the 15 accused persons, some were in the employment of the company of the complainant. It is the case of the prosecution that out of 15 accused persons including the present applicant/accused have conspired and those accused in connivance with the other co-accused including the applicant/accused did not deposit the money in the ATM machines of State Bank of India and Bank of Maharashtra. It is the case of the prosecution that after verification, the complainant found that in total the amount of Rs. 1,05,12,900/- was misappropriated from 27 ATM machines. Thus the company was cheated by the applicant/accused and the co-accused.

4. The learned counsel for the applicant/accused has submitted that the applicant/accused is a student and doing Diploma course. The applicant/accused is innocent. He was not employed in the company of the complainant and not connected with any offence. He submitted that he has filed this application for interim relief as the application for interim protection was rejected by the learned Sessions Judge, Vaduj by order dated 11th August, 2015. He further submitted that as the interim bail was rejected therefore, he prayed

for withdrawal of the application and said application was allowed to be withdrawn, by the learned Sessions Judge.

5. The learned prosecutor opposed the application. He relied on the reasons mentioned in para 3 of the order dated 11th August, 2015 passed by the learned Sessions Judge, Vaduj in Anticipatory Bail Application No. 216 of 2015.

6. Perused the order dated 11th August, 2015. Besides the said order, no other order placed before this Court. It shows that interim protection was rejected by the learned Sessions Court. The reasons mentioned therein are found justifiable. The operative part of the order dated 11th August, 2015 discloses interim protection was rejected and notice was issued to the Respondent which is returnable on 19th August, 2015. However, the submission is made as such application is not pressed. Be that as it may, this Court is not inclined to grant pre arrest bail to the applicant/accused. Hence the application stands rejected.

(MRS.MRIDULA BHATKAR, J.)