

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1710 OF 2015

Bupendra Vishnuprasad Joshi. ...Applicant.
versus
The State of Maharashtra. ..Respondent.

Mr. S.V. Marwadi for the Applicant.
Ms. S.S.Kaushik,APP. for the State.

CORAM : A.S. GADKARI, J.

16th November, 2015.

P.C. :

The applicant is apprehending arrest in CR No.I-211 of 2015 registered with Boisar Police Station for offence under Section 420 read with 34 of the I.P.C. The complainant Mr. Urjit Barve is a Government Officer working in the office of District Collector, Palghar and was monitoring E District Project in his capacity as Manager has filed the present FIR. It is stated that, when he was on duty on 8.10.2015, he received specific information that Chandan Apartment behind New Adarsh Medical Stores some persons by accepting certain amount are issuing Aadhar Cards, even though the concerned person does not have any complete documents with him. Pursuant to the said information complainant proceeded to the said spot with the District Conveyor Mr. Manoj Dhokane and made enquiry about the owner of the said office. The person present at the said place who was wearing specs told him that he is the owner and after payment of

Rs.400/- Aadhar card will be issued to the complainant. After the information was verified a raid was conducted and the persons who were at the said place came to be accosted. The learned Advocate submits that the applicant has no role to play in the crime. His employees indulged in the said crime without his knowledge for which he cannot be held responsible and in the present case custodial interrogation of the applicant is not necessary as the police have already seized the machine and his employees were taken into custody and were thoroughly interrogated.

2) A bare perusal of the investigation papers discloses that the applicant is the principal accused behind the present crime. He has not obtained the necessary permission prior to opening the said center for issuing Adhara card. The FIR further makes it absolutely clear that unscrupulous and undesirable persons in the society are being issued Adhar cards without there being any documents in support of the same by charging Rs.400/- per Adhar card by the agents/employees of applicant. In my opinion, this is a serious crime and requires thorough investigation. The applicant and other co- accused persons are trying to frustrate the basic intention of the Government in issuing the Aadhar cards to the citizens. It was submitted by the prosecution that the applicant did not have the requisite permission for opening the center for issuing Aadhar card. The investigating agency is required to investigate as to whether the cards issued by the applicant have already been circulated in the society or not and the modus of

preparing the said cards by the applicant. The custodial interrogation of the applicant is necessary to unearth the entire truth behind the crime. In view of the above, I am not inclined to grant pre-arrest bail to the applicant. The Application stands dismissed.

3) It is made clear that the observations made herein above are in context with the present application and the Trial Court shall not get influenced by it, at the time of considering the regular bail application of the applicant.

(A.S. GADKARI, J.)