

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 876 OF 2016

Manohar Chandrakant Bhosale

... Applicant.

V/s.

The State of Maharashtra

... Respondent.

Mr. Prashant S. Hagare, Advocate, for the Applicant.

Mr. Y. M. Nakhwa, A.P.P. for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 06th JUNE, 2016

P.C. :

1 The applicant/ accused in Crime No. 181 of 2016 registered with Daund Police Station, Daund, Dist. Pune, for the offences punishable under section 420 read with section 34 of the Indian Penal Code and under section 3 of Maharashtra Prevention and Eradication of Human Sacrifice & other Human, Evil and Aghori Practices and Black Magic Act, 2013, is praying for pre-arrest bail.

2 Heard learned counsel appearing for the Applicant /Accused. He argued that informant Meena Jayram Jadhav is sister-in-law of the wife of applicant and because of inimical relations between them, the applicant/accused is falsely roped in the crime in question. He further argued that the payment

was allegedly made on 15th October, 2015. FIR came to be lodged 16th April, 2016 and because of delay in lodging the FIR, the prosecution case becomes suspect. Learned counsel further argued that considering the nature of the allegation against the applicant his custodial interrogation is not at all warranted and therefore, he is entitled for pre-arrest bail.

3 As against this, the learned APP, by taking me through FIR as well as papers of investigation, has submitted that there are eye witnesses to the incident of cheating and the applicant/accused had duped several villagers by practicing as a quack and by indulging in evil practices. FIR lodged by Meena Jadhav shows that on 15th October, 2015 she had been to the Applicant because of her ailment of spine. The applicant, who is practicing as quack, had obtained an amount of Rs.50,000/- from her with assurance that he will cure her spine ailment. The informant further alleged that the applicant had indulged in evil practices and duped many innocent villagers. The FIR further mentions that one Anna Patole was duped by the Applicant by extracting Rs. 2,00,000/- from him on the pretext of digging out hidden treasure from his house.

4 During investigation, the investigating officer has recorded statements of several witnesses, who have stated about the evil practices adopted by the applicant and his modus

operandi to extract huge amount from the villagers on the pretext of curing their ailments. The papers of investigation show that the applicant had collected an amount of Rs. 6,50,000/- lakhs from the villagers for preparation of chariot, apart from inducing Anna Patole to pay Rs. 2,00,000/- to him. The informant was required to part with an amount of Rs. 50,000/- for curing her spine ailment. The offence alleged against the Applicant has serious repercussion on the society. Considering the nature of accusation against the applicant and the fact that his complicity in the crime in question is established by the statements of several witnesses, the Applicant is not entitled for relief of anticipatory bail.

5 Hence, this application is rejected.

(A. M. BADAR, J.)

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