

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

ANTICIPATORY BAIL APPLICATION NO. 1409 OF 2016

Mr. Sarjit Singh Bhari

... Applicant

vs.

State of Maharashtra

... Respondent

Mr. Ravi P. Jadhav, Counsel for the applicant.

Ms. S. S. Kaushik, A.P.P. for the State/respondent

Coram : N. W. SAMBRE, J.

Date : 15th November, 2016

P.C. :

1. The applicant is seeking pre-arrest bail in Crime No.38 of 2016 for an offence punishable under Section 408 r/w 34 of I.P.C. The incident alleged against the present applicant is for the period from February-2006 to February-2016.

2. Prima facie, it appears that the applicant was an employee of the complainant Sunil Agrawal, who is the owner of a transport agency. Prima facie from the record it reveals that the applicant was involved in mismanagement / embezzlement of the funds of the company in connivance with an Accountant Mr. Jagannath. As such upon the complaint investigation was set in

motion.

3. The primary accused Jagannath, an Accountant with the complainant, appears to have been released on regular bail. Even if the said accused is released on regular bail, the case of the present applicant for grant of pre-arrest bail cannot be considered at parity.

4. The applicant was found to be in possession of an envelope containing cash, which he was to courier, which amount prima facie does not belong to the applicant. There is direct involvement of the applicant in an economic offence.

5. In this background, in my opinion no case for grant of anticipatory bail is made out, the application as such rejected.

[N. W. SAMBRE, J.]