

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**ANTICIPATORY BAIL APPLICATION NO.1677 OF 2016
WITH
CRIMINAL APPLICATION NO.824 OF 2016**

Akshay Ashok Bhoir

... Applicant

Vs.

The State of Maharashtra

... Respondent

.....

Mr. M.J.Bhatt , Advocate for the Applicant.

Smt. N.S.Jain , APP for the State.

Smt. A.A.Shreshtha, Advocate for Intervenor.

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CORAM : N. W. SAMBRE, J.

DATE : 15th December, 2016

P.C.

1 The Applicant is seeking pre-arrest bail in Crime No.181 of 2016 for the offence punishable under Sections 420, 406, 506 read with Section 34 of the IPC.

2 The case of the prosecution against the Applicant is that the Applicant along with his father and his uncle cheated unemployed persons by accepting substantial amount by promising jobs in the Government.

3 The learned counsel for the Applicant submits that investigation carried out till date takes to the only conclusion that it is the father of the Applicant who is involved in the crime and since amount cannot be recovered from him, the Applicant is made accused. He would then urges that custodial interrogation is not required as money was never accepted nor common intention could be inferred as the Applicant never assured job to the complainant or prospective candidates.

4 The learned APP opposed the application on the ground that there are number of similar cases coming forward against the Applicant.

5 Having considered rival submissions and the material available, what could be inferred is that the specific role is attributed to the Applicant in the commission of crime in question. Involvement of the Applicant is apparent as the Applicant has accepted the consideration and he has helped in processing documents for alleged jobs. In my opinion, no case for bail is made out. Hence, application stands rejected.

6 At the request of the learned counsel for the Applicant, protection is extended for a period of three weeks though opposed by the learned APP.

7 As the Anticipatory Bail Application itself is disposed of, nothing survives in Criminal Application No.824 of 2016 and the same is also disposed of .

(N. W. SAMBRE, J.)