

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 194 OF 2017

Vishal Shankar Kalyani	...Applicant
Versus	
The State of Maharashtra	...Respondent

WITH

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 195 OF 2017

Priyadarshan Balasaheb Sathe	...Applicant
Versus	
The State of Maharashtra	...Respondent

.....

Mr.Jaydeep D. Mane for the Applicants in both Anticipatory Bail Applications.
Mr.Prashant Jadhav, APP for the State-Respondent.
Mr. K.N.Chavare, Police Naik, EOW, Solapur City (present)

.....

CORAM: MRS.MRIDULA BHATKAR,J.
DATE : 3rd March 2017

P.C.:

1. These applications are moved by the applicants-accused as the applicants-accused apprehend arrest in C.R.No 54 of 2015 registered with Sadar Bazar Police Station. They are prosecuted for the offences punishable under sections 409 and 420 read with 34 of the Indian Penal Code.

2. It is the case of the prosecution that one Vidyabhushan Trilochan Senapati, officer of Indian Bank has given a complaint on 6th February 2015 with Sadar Bazar Police Station, Solapur that one valuer Vijaykumar Madhukar Kulkarni is illegally and fraudulently certified the bogus and duplicate ornaments in 36 cases as a pure gold against which the applicants-accused and other accused were granted various loans and the loan amounts were disbursed in their respective accounts.

3. The learned counsel for the applicants-accused has submitted that Vijaykumar Kulkarni has accepted the entire liability of the commission of the offence. The applicants-accused did not open the account and not played any role in the offence. They are innocent.

4. The learned prosecutor pointed out that the bank accounts were opened in the name of both the applicants-accused. The photocopies of the signatures were presented at the time of opening of the bank account. He has further submitted that the applicants-accused and other accused alongwith main perpetrator Vijaykumar Kulkarni has cheated the bank. There is one withdrawal of Rs.1,74,000/- in Priyadarshan Sathe account. It is also noted that none of the applicants-accused have lodged any complaint of forgery

and fraud against Vijaykumar Kulkarni, if they are not involved in the offence.

5. Considering the documents placed before the Court, it appears that they have opened the bank accounts where the loan amounts were disbursed, this Court is not inclined to grant anticipatory bail. Other three Anticipatory Bail Application Nos. 456 of 2015, 483 of 2015 and 490 of 2015 in the same C.R. were rejected by this Court by order dated 16th April 2015 and the applicants-accused are directed to surrender before the Officer.

6. In view of this, Criminal Anticipatory Bail Applications are rejected.

(MRIDULA BHATKAR, J.)