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

**BAIL APPLICATION NO.1424 OF 2016**

Alok Dinesh Tanna .... Applicant

versus

State of Maharashtra ... Respondent

Mr.Niranjan Mundargi, Advocate i/b. Aniket Vagal, Advocate for the Applicant.
Mr.S.S. Hulke, APP for the State/Respondent.
API - Mr.Rishikesh Adhikari, (EOW Unit-I, Mumbai).

**CORAM : MRS.MRIDULA BHATKAR, J.**
**DATE : 23rd JANUARY, 2017.**

**P.C. :**

1. This application is moved for bail by the applicant/accused. The applicant/accused is prosecuted for the offences punishable under sections 409, 419, 420, 465, 476, 468, 471, 120 (B) of the Indian Penal Code in C.R.No.43/15 of Samata Nagar Police Station and subsequently C.R.No.6/15 of EOW. The total amount, for which the aggrieved persons were defrauded and cheated, is Rs.5,59,66,460/-. One Srinivas Shankar Durve, Manager of Satar Saharkari Bank Ltd. gave

complaint against the applicant/accused and the co-accused on 03/02/2015. On 04/02/2014 one Nilesh Mangal Prajapati had opened a current account in the name of Debt Recovery Tribunal (DRT). One Alok Dinesh Tanna alongwith Nisha Sanghavi have approached some people including Rohit Sukhram Khandari and induced them to purchase the property, which was to be auctioned by DRT. They received the pay orders of huge amounts from purchasers/bidders. However, the said amounts were not used for the purchase of the property in those respective auctions. But those pay orders given by those persons in the name of DRT, were deposited in the account of DRT opened by Nilesh Prajapati. It was found that many pay orders totaling of Rs.5,86,89,000/- were deposited in that account and subsequently were withdrawn or transferred to other persons. In the process the applicant/accused and the co-accused have used the bogus seal of DRT and also forged the documents by putting bogus signatures of the officers in DRT. Hence offence was registered. The applicant/accused was arrested on 24/02/2015. Hence this application.

2. The learned counsel for the applicant/accused submitted that the applicant/accused is in the prison since last two years. The other accused by name Nilesh Prajapati, who opened the account in the bank, is granted bail. He further submitted that the offences are triable by the learned Metropolitan Magistrate and therefore the applicant/accused be granted bail.

3. The learned prosecutor opposed the bail application. He submits that the applicant/accused had issued receipts and allotment letters in the name of other persons. As per the statement on one occasion the applicant/accused was present in the bank alongwith one Yogesh K. Darji and an amount of Rs.45,00,000/- was withdrawn. The CCTV footage to that effect is available with the police.

4. Perused the documents and considered the submissions before the Court. There is forgery of Court seal and

the signatures of the Court officers. The act of cheating people by using the DRT is a serious crime. Considering the role played by the applicant/accused, I am not inclined to grant bail.

5. I am informed that charge is framed in the month of August 2016. The learned Magistrate to proceed with the matter and try to expedite the matter within one year.

6. In view thereof, application is rejected.

**(MRIDULA BHATKAR, J.)**