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

ANTICIPATORY BAIL APPLICATION NO. 472 OF 2017

Shri Santosh Dharmaji Sakte	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

Mr. Sushant S. Prabhune for the Applicant.
Mr. Sooraj S. Hulke, APP for the Respondent-State.
Mr. Sunil Pandurang Gaikwad, PSI, Baramati Police Station present.

CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 17th MARCH, 2017.

P. C. :

1. This application is moved by applicant for pre-arrest bail in C. R. No. 645 of 2016 registered with Baramati Urban Police Station for the offence punishable under Sections 420, 468, 473 r/w 34 of the Indian Penal Code. In this case the applicant-accused as also complainant who gave information to the police station on 25.10.2016 of a fraud played by one Anita Bhise i.e. co-accused. It is the case of the prosecution that initially Anita Bhise represented that she is an offence in Collector's office and if Rs.3 lakh is paid to her, then she would give job to wife of the complainant. The complainant thereafter paid her Rs.3 lakh in the month of January. Her bogus interview was taken by Anita Bhise. Job was offered in the month of April, 2016. She joined it in the month of May, 2016 and then she was asked not to come to job on 06.06.2016. In

between may relatives and friends have approached the applicant-accused and they also wanted employment in the Collector's office and showed readiness to pay bribe to Anita Bhise. The applicant-accused collected different amounts from these 18 persons. Total amount may be at around Rs.57 lakhs from 18 persons and paid to Anita Bhise. Offence was registered against Anita Bhise initially and she was arrested and during the investigation it was transpired to the police that the applicant-accused/complainant is involved in this offence. It is the case of the prosecution that the applicant-accused having connivance with Anita Bhise and Bhupendra Shah resident of Mumbai has prepared plan to extort money from the people on the pretext of giving job in the government office in District Pune. Anita was promised to give Rs.1 lakh for each person and thus she has received Rs.18 lakh out of Rs.57 lakhs. The remaining amount was distributed between the applicant-accused and Bhupendra Shah and, therefore, the offence is registered.

2. Learned counsel for the applicant-accused submitted that the applicant-accused is a victim of this plan. He has not committed any offence. He is innocent. He has returned Rs.29 lakhs to half of the people and he has unnecessarily implicated in this case by the police and hence, he has to be granted pre-arrest bail.

3. Learned Prosecutor has relied on the complaint statement of

the witnesses who has specifically stated that the applicant-accused along with Anita Bhise was present at the time of interview till June, 2016 as per the case of the complainant when his wife was asked to stop working; he has collected money from the witnesses even after the said date. Learned Prosecutor has submitted that the police want to collect the information and evidence in respect of the seal and stamp of the Collector and also to get the information about Bhupendra Shah.

4. Perused the FIR, statement of witness which was pointed out by the Prosecutor. Considering the nature of the offence and the manner in which the people were induced to pay money, the custody of the applicant-accused is, prima facie, is required. There is evidence against the applicant-accused as he cheated other people. Then his custody is necessary for effective investigation. Hence, rejected.

[MRIDULA BHATKAR, J.]