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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.550 OF 2017

Vishnu Bhimrao Raut	...Applicant
Versus	
The State of Maharashtra	...Respondent

***WITH
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.551 OF 2017***

Mohan Vishnu Raut	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Prasad Patil i/b Mr.Datta Mane, for the Applicants in both the applications.

Mr.Prashant Jadhav, A.P.P. for the Respondent-State in ABA No.550 of 2017.

Mr.Rajan Salvi, A.P.P. for the Respondent-State in ABA No.551 of 2017.

Police Head Constable – L.H.Tagde, Sangola Police Station, Solapur Rural.

CORAM : REVATI MOHITE DERE, J.

DATE : 3rd APRIL, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By these applications, the applicants seek pre-arrest bail in

connection with C.R.No.73 of 2017 registered with the Sangola Police Station, Solapur, for the alleged offence punishable under Section 420 r/w 34 of the Indian Penal Code.

3. Learned Counsel appearing for the applicants submits that the applicants are innocent and no offence as alleged is disclosed, qua the applicants. He submitted that as far as applicant in Anticipatory Bail Application No.550 of 2017 - Vishnu Bhimrao Raut is concerned, he has resigned from the said Company.

4. Learned APP in both the applications opposed the applications. They submitted that there is ample material/evidence to show the complicity of the applicants.

5. Perused the papers. The complaint is lodged by one Maruti Hulkurki on 24th January, 2017. According to the complainant –Maruti, Mohan Vishnu Raut contacted him in February, 2013 and induced him to work with a company by the name - 'Reliable Force Infra Agro Limited', Sangola, as an agent. He submitted that due to the persuasion and

persistence of Mohan Raut, he accepted the offer. According to the complainant, Mohan Raut disclosed to him that whatever amount would be invested by the investors or any person, the Company would give 16% interest on the said amount, and some land would be given in the name of the investor and that after maturity of the said amount the open plot would be returned back to the Company. Applicant – Mohan Raut, is alleged to have told the complainant, a resident of Bagalkot, that the company was going to start another branch at Bagalkot and asked him to deposit the amount invested by investors at Sangola or in his Account. According to the complainant, he himself deposited a sum of Rs.3,68,500/- during the period from 28th September, 2013 to 3rd January, 2014 at the Sangola Branch and Rs.4,67,710/- at Bagalkot Branch. The complainant also collected amounts from several persons and assured that returns would be given. The said assurance was given as Mohan himself had assured payments. When the complainant and others questioned Mohan Raut and other Directors about the returns, they refused to answer or pay back the money. The complainant and others also learnt that the company had gone into liquidation and infact one investor had also committed suicide on hearing the news. The Company - Reliable Force Infra Agro Limited,

Sangola had also promised and offered attractive and lucrative prizes like motorcycle, scooter, jeep etc and people were induced to invest money in the company. In the aforesaid complaint lodged, it is alleged by the complainant that the accused including the applicants cheated the investors to the tune of Rs.80,20,760/-. It appears that the police have seized 650 certificates showing the investments made by the persons in the said company. The brochures show that the company i.e. Reliable Force Infra Agro Limited, Sangola was representing to the people/investors that they were working under the Government of India and that the scheme was launched pursuant thereto, which was completely false and untrue. The coloured brochures which have been produced show the Applicant - Mohan Raut, as the Chairman of the said Company, whereas the ROC record shows Applicant – Mohan Raut as the Managing Director of the said company. Vishnu Raut is also the Director of the said company and the applicants are father and son. Although, learned counsel for the applicants have vehemently submitted that the applicant – Vishnu had resigned from the company on 18th May, 2015, the complaint shows that all the acts had taken place prior to the said date, when Applicant – Vishnu Raut was the Director of the company.

6. Considering the aforesaid and the serious allegations made against the applicants, custodial interrogation of the applicants is necessary.

7. Hence, both the Applications for pre-arrest bail are rejected and disposed of as such.

8. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid applications and if an application for regular bail is filed, the same shall be considered on its own merits, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)