

Anand

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

ANTICIPATORY BAIL APPLICATION NO.1102 OF 2017

Nikhat Nasim Shaikh .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.S.R.Pawar, Advocate, for the Applicant
Mrs.P.P.Shinde, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 29.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks pre-arrest bail in connection with C.R.No. 33 of 2017 registered with the Koregaon Park Police Station, District – Pune, for the alleged offence punishable under Section 420 r/w.34 of the Indian Penal Code.

3. Learned counsel for the Applicant states that the Applicant was in the employment

of accused No.1 – Rakesh Verma, who had floated a Company by the name of 'House of Vacation'. He submits that the Applicant was only an employee of the Company and had no knowledge of the fraud committed by the accused No.1. He submits that similarly placed co-accused – Prakash Mane and Rahul Shedge have been granted Anticipatory Bail by this Court (CORAM : REVATI MOHITE DERE, J.) vide Order dated 08.06.2017. He submits that the role of the Applicant is similar to that of the said co-accused, who were also employees.

4. Learned APP does not dispute the aforesaid. She submits that at this stage of investigation, it appears that the Applicant has not received any money.

5. Perused the papers and the Order dated 08.06.2017 granting Anticipatory Bail to the co-accused – Prakash Mane and Rahul Shedge. It

appears that the Applicant was also working with the accused No.1 – Rakesh Verma, who had floated a Company by the name of 'House of Vacation'. At this stage, it appears that the Applicant has not received any money either from the Complainant or from any other witness. Similarly placed co-accused - Prakash Mane and Rahul Shedge have been granted pre-arrest protection.

6. Considering the aforesaid, the Application is allowed and the Applicant is granted pre-arrest bail on the following terms & conditions:-

O R D E R

(i) In the event of arrest, the Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs.10,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station as & when called for by the

investigating officer till the filing of the charge-sheet or for a period of three months whichever is earlier;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The Applicant to cooperate with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

7. The Application is allowed in the

aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)