IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1299 OF 2017

Shashikant Chandu Kore .. Applicant
Vs.
State of Maharashtra .. Respondent

Mr.Ujwal R. Agandsurve for the applicant.
Mr.S.S.Hulke, Additional Public Prosecutor for the respondent.

CORAM : T.V. NALAWADE, J.
DATE : 9th August 2017

P.C. :

. The application is filed for the relief of anticipatory bail. Both the sides are heard. Papers of investigation were made available for perusal of this Court.

2. Submissions made and papers of investigation show that the charge sheet is filed against the applicant and others in the Court of Judicial Magistrate, First Class, Solapur in C.R. No.31 of 2015 registered with Vijapur Naka Police Station, Solapur for the offences punishable under Sections 409, 420 read with 34 of the Indian Penal Code. Allegations are made against the present applicant that he had pledged fake gold ornaments with Indian Bank for getting loan. Loan of Rs.9 lakh was sanctioned on the basis of the report of the Gold Valuer, Gold Smith in the year 2014.

3. In the year 2015, when the inspection of the ornaments was done along with some other cases, in the present case, it was noticed that the gold ornaments were fake. In view of this circumstance, report was

given against the Gold Smith and the present applicant. The applicant was not available during the course of investigation. It is the matter of record and after collecting the record, charge sheet came to be filed against the Gold Smith and the present applicant. The circumstance that he is shown as absconding also needs to be used against him at least in the present proceedings.

4. There are statements of the employees of the bank and the person who had detected the fraud during the inspection. It is not disputed that the loan was taken by the present applicant. In view of this circumstance, custodial interrogation is must. In such cases, there is always possibility of involvement of some bank officers and the custodial interrogation will help the police to ascertain as to whether anybody from the bank is involved in the fraud. For that purpose also, custodial interrogation is necessary. So the application stands rejected.

T.V. NALAWADE, J.