

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1597 OF 2016

Vinod Sakharam Patil

Applicant

versus

State of Maharashtra

Respondent

Mr.A.H.Ponda i/by Mr.Datta Mane for Applicant.

Smt.Veera Shinde, APP, for State.

CORAM : PRAKASH D. NAIK, JJ.

DATE : 13<sup>th</sup> July 2017

PC :

1. The Applicant is seeking anticipatory bail in connection with CR No.I-10 of 2016 registered with Central Police Station, Ulhas Nagar for offences punishable under Sections 420, 465, 467, 471 and 120B of Indian Penal Code.

2. The Applicant is presently working as Assistant Commissioner at Food and Drug Administration, Bandra, Mumbai. At the time of the incident, the Applicant was posted as Ulhas Nagar, Ambernath in Food and Drugs Department as Assistant Commissioner (Food) and was given the additional charge of Assistant Commissioner.

3. The Applicant was granted interim protection by this Court by order dated 16th September 2016. Thereafter by order dated 22nd June 2017, the Applicant was directed to report Central Police Station, Ulhas Nagar twice a week. It is submitted that the Applicant has complied with the said directions. It is submitted by learned advocate for Applicant that letter for handing over the charge was received by the Applicant on 16th February 2013 at about 3.30 p.m. and prior to that the license was issued in favour of Baba Restaurant. In order to verify the said contention, the Applicant was directed to report the said police station.

4. The prosecution case is that the complainant who was working as a Junior Clerk in the office of Assistant Police Commissioner, Ulhas Nagar lodged a report to Central Police Station that a complaint was given by one Anil Lalwani in respect of bogus and forged license issued to M/s.Baba Restaurant and M/s.Himalaya Bar. Hence an inquiry was conducted and from the investigation it was revealed that the license issued to M/s.Baba Restaurant was found to be bogus and forged. On the basis of said complaint, offence was registered. It was alleged as against the Applicant that although he was relieved of the duty from the said department, the license was issued. However, as pointed out hereinabove, it is the case of the Applicant that letter handing over of the charge was received by the Applicant on 16th February 2013 at 3.30 p.m. and prior to that the license was issued.

5. The Applicant is a Government employee and has co-operated with the investigation. In the circumstances, custodial interrogation of the Applicant is not necessary. Hence, I pass following order :

#### **ORDER**

- (i) Anticipatory Bail Application No.1597 of 2016 is allowed;
- (ii) Interim order dated 16th September 2016 is confirmed;
- (iii) The Applicant is directed to report the investigating officer of Central Police Station, Ulhas Nagar as and when called for;
- (iv) Application stands disposed off.

(PRAKASH D. NAIK, J.)

MST