

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

ANTICIPATORY BAIL APPLICATION NO. 862 OF 2018

Rajendra Vilas Kale

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Abhishek R. Avachat for the applicant.

Mr. S.R. Agarkar, APP for the State.

Mr. Shivaji Bapu Patil, Police Constable, Shahuwadi Police Station,
Kolhapur present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 31th AUGUST, 2018.

P.C.:

. This is an application for anticipatory bail under section 438 of Criminal Procedure Code, filed by the aforesaid applicant, apprehending his arrest in C.R.No.150/2017 registered with Shahuwadi Police Station, District Kolhapur for the offences punishable under sections 406, 419, 420, 464, 468, 473 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Abhishek Avachat, learned counsel for the applicant and Mr. S.R. Agarkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The afore stated crime was registered pursuant to the order dated 05/10/2017 passed by the learned Judicial Magistrate First Class, Malkapur-Shahuwadi under section 156(3) of Criminal Procedure Code. The records reveal that one Ramakant Patil had filed a complaint before the learned Magistrate alleging that the applicant alongwith co-accused had cheated him to the tune of Rs.10 lakhs under the pretext of providing him a loan of Rs.60 lakhs. It is also alleged that the applicant and other co-accused had forged and fabricated documents for the said purpose. The alleged incident had occurred between 01/03/2017 to 31/05/2017. It is seen that this Court by order dated 23/05/2018 had already granted interim bail to the applicant.

4. Considering the nature of the allegations levelled against the applicant, in my considered view, this is not a fit case for custodial interrogation. There are no chances of the applicant fleeing from justice and/or thwarting the course of justice. Hence, the anticipatory bail application is allowed on the following terms and conditions :-

(a) In the event of arrest of the applicant in C.R.No.150/2017, he shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two solvent sureties in the

like amount, to the satisfaction of the Investigation Officer.

(b) The applicant shall remain present before the Investigation Officer from 05/09/2018 for a period of four days and further as and when required by the Investigation Officer for the purpose of interrogation/investigation.

(c) The applicant shall furnish his permanent and temporary address, if any, and his contact details to the Investigation Officer.

(d) The applicants shall not change his residential address without prior intimation to the Investigation Officer.

(e) The applicant shall not interfere with the other witnesses in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)