

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

**ANTICIPATORY BAIL APPLICATION NO.1240 OF 2018**

|                          |               |
|--------------------------|---------------|
| Amesha Rama Pawar        | ...Applicant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

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Mr. Rahul Dhaygude for the Applicant.  
Mr. S.H. Yadav, APP for the Respondent -State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**

**DATED: 6<sup>th</sup> SEPTEMBER, 2018.**

**P.C.:-**

This is an application under Section 438 of the Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R. No.138 of 2018 registered with Phaltan City Police Station, District-Satara, for the offences punishable under Sections 452, 504 and 506 of the Indian Penal Code and Sections 39 and 45 of the Maharashtra Money Lending Act, 2014.

2. Mr. Rahul Dhaygude, the learned counsel for the Applicant submits that the Applicant has not committed any offence under the Money Lending Act and he holds a valid license, copy of which is at Exh.32. He further submits that co-accused is released on bail and the Applicant is also entitled for bail on the ground of parity.

3. Mr. S.H. Yadav, the learned APP submits that custody of the Applicant is required for attaching copy of the license.

4. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP for the Respondent-State.

5. The aforesaid crime was registered pursuant to the FIR lodged by one Anil Rajmane alleging that he had taken loan of Rs.4,00,000/- from the Applicant and that the first informant had repaid the same by installments of Rs.40,000/- p.m. Despite which the Applicant is demanding more money and abusing him for non payment of loan.

6. In my considered view the nature of the offence does not require custodial interrogation. Furthermore, the Applicant has been attending the police station as and when required by the Investigation Officer and the investigation has not been hampered due to non co-operation of the Applicant. So also the Applicant is permanent resident of the State and there are no chances of his thwarting the course of justice.

7. Considering the above facts and circumstances, particularly the nature of accusations, this is a fit case for grant of bail. Hence, the application is allowed on following terms and conditions.

- (i) In the event of arrest of the Applicant in C.R. No.138 of 2018 registered with Phaltan City Police Station, District-Satara, the Applicant shall be released on bail on furnishing bail bonds of Rs.50,000/- with one or two solvent sureties in the like amount to the satisfaction of the Investigation Officer.
- (ii) The Applicant shall report to the concerned police station as and when required and called by the Investigation Officer.
- (iii) The Applicant shall furnish his permanent and temporary address, if any, and his contact details to the Investigation Officer.
- (iv) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

**(SMT. ANUJA PRABHUDESSAI, J.)**