

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 543 OF 2018**

Gourishankar Sarveshwar Prasad Singh .....Applicant.

Vs.

The State of Maharashtra & Anr. ....Respondents.

Mr. R.R. Paramane for the Applicant.

Mr. Amit Palkar APP, for the Respondent-State.

**CORAM : A. S. GADKARI, J.**

**DATE : 24<sup>th</sup> NOVEMBER, 2018.**

**P.C.:-**

By an Order dated 20<sup>th</sup> March, 2018, the Applicant was granted interim relief.

2           The record indicates that, at the instance of the Applicant, the first informant was introduced with Mr. Ravi Prakash Varma and Mr. Kushal who assured him that, they will give an admission in Medical College to the son of the first informant. The record further indicates that Mr. Ravi Prakash Varma and Mr. Kushal, from time to time accepted a sum of Rs.12 lakhs from the first informant and his wife. It further *prima facie* appears that, the Applicant is not beneficiary of any amount from the informant. The first information

report and the other record of investigation is *prima facie* silent about the same.

3           The record further indicates that a sum of Rs.6 lakhs have been recovered by the police from the other accused persons. The learned counsel for the Applicant submitted that, however, with a view to prove his bonafide and without prejudice to his rights and contentions to be raised at the time of Trial, if the police submits charge sheet, the Applicant is ready and willing to deposit a sum of Rs.2 lakhs in the Registry of this Court, within a period of two weeks from today. The said statement is accepted as an undertaking given to this Court.

4           After perusing the entire record of the investigation, this Court is of the considered view that the custodial interrogation of the Applicant for further investigation in present crime is not necessary.

5           Interim relief granted by an Order dated 20<sup>th</sup> March, 2018 is hereby confirmed, however the condition to attend the concerned Investigating Officer/Police station is waived.

6           It is made clear that, if the Applicant fails to comply with his undertaking and/or statement recorded hereinabove within

stipulated period, the relief granted by this Order shall stand vacated without further reference to this Court and the Investigating Officer will be at liberty to adopt appropriate proceedings, including taking custody of the Applicant.

7           Application is allowed in the aforesaid terms.

**(A.S. GADKARI, J.)**