

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

ANTICIPATORY BAIL APPLICATION NO. 1706 OF 2017

Sunil Kumar Jha

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mrs. Shabana Sothe for the Applicant.

Mrs. J.S. Lohokare, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 24th FEBRUARY, 2018

P.C.:

. The learned APP submitted that despite repeated intimations given to the Investigating Officer, he has not come to give instructions to her.

2 Heard the Learned Counsel for the Applicant, the learned APP and perused the record annexed to the application.

3 The learned Counsel for the Applicant submitted that it is the allegations of the prosecuting agency that the Applicant is beneficiary of Rs.7,00,000/- in the entire crime i.e. a sum of Rs.7,00,000/- have been given as loan in the name of Mr. Ajay Narawane of Sainath Enterprises which has alleged to have been received by the Applicant. She further submitted that as a matter of fact the Applicant on 26.11.2017 has paid the said amount to the complainant's company i.e. M/s. Lending Cash Finance Limited through RTGS transfer from his account

with Dombivali Nagari Sahakari Bank Limited, Khidkali Branch, Dombivali.

There is no contradiction to the said statement.

4 In view thereof, the Applicant is entitled to be protected by the pre-arrest bail.

Hence, the following order:

i) Interim relief granted by Order dated 06.10.2017 is confirmed.
However the condition to attend the Investigating Officer/concerned Police Station is waived.

ii) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)