

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

ANTICIPATORY BAIL APPLIATION NO.272 OF 2019

Ajit Santosh Upadhyay

... Applicant

Vs.

State of Maharashtra

... Respondent

.....

Mr.Ghanshyam Upadhyay I/b. M/s.Law Juris, Advocate for the Applicant.

Ms.A.A. Takalkar, APP for Respondent - State.

Mr.Santosh Mane, API, Ulhasangar Police Station District-Thane.

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CORAM : PRAKASH D. NAIK, J.

DATE : JANUARY 31, 2019.

P.C.

This is an application for anticipatory bail in connection with C.R.No.I- 253 of 2018, registered with Ulhasnagar Police Station, District-Thane, for the offences punishable under Sections 406 and 420 of Indian Penal Code ("IPC", for short). First Information Report ("FIR", for short) was lodged on 21st October, 2018. According to the complainant, the applicant had promised that job would be provided to him as a probationary officer in the Bank. It is alleged that the complainant got acquainted with the applicant in the year 2013. The amounts were allegedly transferred in July 2015 onwards till April 2016. According to

complainant, till 2017 he has parted an amount of Rs.4,94,699/-. The case of the applicant is that there was loan transactions between the applicant and the complainant and towards friendly loan, the amount was transferred. On perusal of the statement incorporated in the FIR, it is apparent that on some occasion, the complainant transferred the amount of Rs.900/-, Rs.1900/-, Rs.1000/-, Rs.1400/-, etc. The first transaction took place on 24th July, 2015. FIR was lodged on 21st October, 2018. *Prima facie* taking into consideration the factual matrix of the case, custodial interrogation of the applicant is not necessary.

2 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.272 of 2019, is allowed;

- (ii) In the event of arrest of the applicant in connection with C.R.No.I- 253 of 2018, registered with Ulhasnagar Police Station, District-Thane, the applicant be released on bail on his furnishing P.R.Bond in the sum of Rs.25,000/-, each, with one or more sureties in the like amount;

(iii) Applicant shall report Ulhasnagar Police Station, District-Thane, on 7th, 8th and 11th February, 2019 between 11:00 a.m. to 01:00 p.m. and thereafter as and when called for by the investigating officer, till filing of charge - sheet;

(iv) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)