

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

ANTICIPATORY BAIL APPLICATION NO. 312 OF 2019

Mangala Dattatraya Golande & Ors. ... Applicants

Versus

The State of Maharashtra ... Respondent

Mr. Samyak K. Gimekar for Applicants.

Mr. S. H. Yadav, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 5, 2019.

P.C. :

. In Crime No. 6 of 2019 for an offence punishable under Sections 420, 461, 468, 471 read with Section 34 of the Indian Penal Code the Applicants are seeking pre-arrest bail.

2. The offence in question took place in the year 2016, wherein the main accused Dattatraya is husband of Applicant No.1, father of Applicant No.2 and father-in-law of Applicant No.3.

3. The case of the prosecution is, Dattatraya along with these co-accused promised job and accepted amount in the tune of more than Rs.2.00 Crores.

4. According to the learned Counsel for Applicants, the only role attributed to the Applicants is that counting the amount which were received from the persons like complainant. The applicants are not beneficiaries of the ill-gotten amount.

5. The learned APP opposed the claim based on the investigation carried out till date.

6. Dattatraya, the main accused has promised the unemployed youth of providing government job and accepted illegal consideration for the same. Apart from the fact that the amount was not repaid, none of the unemployed youths were provided with any employment. The Applicant No.1 - wife and Applicant No.2 - son appears to be the beneficiaries of the said illegal act of Dattatraya and there is sufficient material to infer their involvement in the crime in question. As such, their prayer for grant of pre-arrest bail is rejected.

7. So far as the Applicant No.3 Mohini @ Janata is concerned, she being daughter-in-law of main accused Dattatraya and wife of Applicant No.2 - Kiran, I hardly noticed any role attributed to her so as to

involve her in the crime in question. That being so, the prayer of the Applicant No.3 for grant of pre-arrest bail is granted. Hence, the following order.

ORDER

- (A) In the event of arrest in Crime No. 6 of 2019 for an offence punishable under Sections 420, 461, 468, 471 read with Section 34 of the Indian Penal Code, the Applicant No.3 Mohini @ Janata Kiran Golande be released on executing PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (B) The Applicant No.3 – Mohini shall attend the Investigating Officer on 11th, 14th, 18th and 22nd February 2019 between 10.00 a.m. to 12.00 noon and thereafter as and when directed.
- (C) The Applicant No.3 shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

8. Anticipatory Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)