

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

ANTICIPATORY BAIL APPLICATION NO.318 OF 2019

Mr. Liyakat Abdul Reheman Rawoot	 Applicant
Versus	
The State of Maharashtra	 Respondent

- Mr. Yogesh Palve I/b. Machhindra Bodke for Applicant.
- Mr. S. H. Yadav, APP for the State/Respondent.
- Mr. J. T. Watve, ASI, Mangaon Police Station present.

CORAM : SARANG V. KOTWAL, J.
DATE : 17th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. I 12 of 2019 registered with Mangaon Police Station, under sections 406 and 420 r/w. 34 of the Indian Penal Code.
2. The FIR is lodged by one Chandbibi Shaikh. According to her, she and her husband were planning to visit Haj Pilgrimage in the year 2018. The present applicant came to know about their plan and he approached the first informant. The applicant represented to her that one Sarfraj Jivakar was in a position to help them and for that purpose the informant needed to spend

Rs.6 lakhs. Based on this representation the first informant paid in all Rs.6 lakhs, however, no further work was done and she realised that she was duped for Rs.6 lakhs. On insistence of the first informant the applicant paid Rs.3 lakhs to her, however, remaining Rs.3 lakhs was not paid for a considerable period and therefore, the informant lodged the F.I.R.

3. Heard Mr. Yogesh Palve, learned counsel for the applicant and Mr. S. H. Yadav, learned APP for the State.

4. Learned counsel for the applicant pointed out that vide order dated 08/04/2019 this court (Coram: P. N. Deshmukh, J.) had observed that the applicant had deposited balance amount of Rs.3 lakhs in this court and by the same order the first informant was permitted to withdraw the same on certain conditions. Thus, the applicant has established his bonafides by depositing amount which first informant had lost. In this backdrop, the custodial interrogation of the applicant is not necessary; as most of the case is admitted by either side. In view of this matter, the applicant deserves protection of anticipatory bail.

5. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R. No.12 of 2019 registered with Mangaon Police Station, the applicant is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)