

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

ANTICIPATORY BAIL APPLICATION NO. 422 OF 2019

Rajesh @ Raj Ghanshaym Jangid ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. K. M. Tripathi, Advocate, for the Applicant.

Mr. R. M. Pethe, APP for the State.

(Ms. Savita Thombare, PSI, Sahar Police Station, is present.)

CORAM : PRAKASH D. NAIK, J.

DATE : FEBRUARY 18, 2019.

PC :

1 This is an application by the applicant for anticipatory bail in connection with the CR No. 338 of 2017, registered with Sahar Police Station, for the offence under sections 465, 468, 471, 420, 201 read with section 34 of the Indian Penal Code.

2 Learned counsel appearing for the applicant submitted that the applicant has no nexus with the present crime. The applicant is said to be arrested on the basis of the statements of the co-accused. The primary role is attributed to the co-accused. The custodial interrogation of the applicant

is not necessary. He has been falsely implicated on account of business rivalry.

3 Learned APP, however, submitted that the applicant had failed to obtain POE clearance certificate from the concerned authority. During the course of the investigation, the involvement of the applicant came to light. It is the case of the prosecution that the applicant is instrumental in preparing false POE approval letter and for that purpose required to recover the computer as well as printer, which was used by the applicant for issuance of POE approval letter. Learned APP further submitted that the applicant is already an accused in another case registered as CR No.414 of 2017. The co-accused -Mohd. Yusuf Mirza was arrested and during his police custody, he has narrated the role played by the present applicant. The involvement of the applicant was disclosed during the course of investigation. The applicant is allegedly connected in the offence with other accused in preparation of bogus POE approval letter and taken effective part for sending the co-accused abroad without POE approval issued by the proper authority. It is further alleged that on the basis of false POE approval letter, the applicant has made every efforts for sending the accused abroad. It is also alleged that the crime is of serious nature.

4 Considering the role attributed to the applicant, no case for grant of anticipatory bail made out.

5 Application is rejected.

(PRAKASH D. NAIK, J.)

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