

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.445 OF 2019

Jayesh L. Aroskar, Age 39 years,
Occ.Service, R/o.Vitthal Rakumai SRA Building
4th Floor, Room No.406, Near Ram Mandir
Katrak Road, Wadala (W), Mumbai-400 031. Applicant
versus
The State of Maharashtra Respondent

Mr.Prashant G. Sawant for applicant.
Mr.A.R.Kapadnis, APP, for State.
Mr.Rajesh Khande, API, R.A.K.Marg Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 20th February 2019

PC :

1. This is an application for anticipatory bail in CR No.14 of 2019 registered with R.A.K. Marg Police Station, Mumbai for offences under Sections 420 and 406 of Indian Penal Code.

2. The FIR was lodged on 24th January 2019. The case of prosecution is that the applicant is employed with complainant and there is misappropriation of gold ornaments worth Rs.12,03,546/-. On inquiry it was suspected that the applicant is involved in the crime. It is alleged that the applicant then admitted the guilt. The contention of applicant is that he has been falsely implicated in this case. He was forced to execute writing that he is instrumental in misappropriation of the gold ornaments. The applicant had lodged complaint with police on 5th January 2019 alleging that applicant has been forced to admit the guilt and that he is likely to be involved in

the false case. It is submitted that thereafter the FIR has been lodged with police station. The applicant is willing to co-operate with investigation. On perusal of the FIR it is apparent that the applicant is alleged to have misappropriated the gold ornaments worth Rs.12,03,546/- and the complainant alleges involvement of applicant in the crime.

3. Learned APP submitted that similar case was registered against applicant with Bandra Police Station wherein the applicant had allegedly misappropriated the gold ornaments. The said case was registered vide CR No.14 of 2019 under Sections 420, 408 r/w Section 34 of Indian Penal Code.

4. Considering the nature of allegations, no case for grant of anticipatory bail is made out. Hence, application is rejected.

(PRAKASH D. NAIK, J.)

MST