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

ANTICIPATORY BAIL APPLICATION NO.801 OF 2019

Yogesh Kumar Singh

..Applicant

Vs

The State of Maharashtra .

..Respondents

Mr. T.R. Shetty for Applicant.

Ms. J.S. Lohokare, APP for State.

Mr. Siddesh D. Joshte, PSI, V.P. Road Police Station present.

CORAM : A.S.GADKARI, J.

DATE : 2nd April 2019.

P.C.:

1] The applicant is apprehending arrest in CR No. 11 of 2019 dated 11.01.2019 registered with V.P. Road Police Station, Mumbai under Sections 420, 406 read with 34 of the Indian Penal Code.

2] Heard the learned counsel for the applicant and the learned APP for the State. Perused the record of investigation.

3] It is the prosecution case that, the applicant herein was working with the Company namely OHO Travels Services Pvt. Ltd. The owner of the said Company is Mr.Gaurav Goyal. That the said Company accepted a sum of Rs.7,09,323/- from the first informant's Company namely Dream

Holidays for providing certain travel related facilities. It is subsequently realised that the applicant and co-accused namely Ms. Isha Agarwal had left the Company and the owner of the said Company Mr. Gaurav Goyal is absconding and has gone to Saudi Arabia.

4] It is a matter of record that, the applicant was the employee of OHO Travels Services Pvt. Ltd. owned by Mr. Gaurav Goyal. The said Company is not registered with the Registrar of Companies. The co-accused Ms. Isha Agarwal is arrested by the Police. Even as per first information report, the first informant has deposited the aforesaid amount with OHO Travels Services Pvt. Ltd and not with the applicant.

5] Prima facie, it appears that, the applicant has no direct to play in the present crime As far as payment and/or defalcation of the amount is concerned it is by Mr. Gaurav Goyal, owner of OHO Travels Services Pvt. Ltd.

6] In view of the above, the applicant is entitled to be protected pre-arrest bail.

Hence, the following Order:-

(i) In the event of arrest in CR No. 11 of 2019 registered with V.P. Road Police Station, Mumbai, the applicant shall be released on bail on his

furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

ii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

7] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)