

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

ANTICIPATORY BAIL APPLICATION NO.1011 OF 2019

Deepak Genu Mokal	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr.Milind Ingole, Advocate for Applicant.
- Mr.S.R. Agarkar, APP for the State/Respondent.
- PSI Ajay Prabhakar Kavade, Ozar Police Station, Nashik Rural, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 11th JUNE, 2019

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.120/18 registered with Ozar Police Station, Nashik Rural, under sections 406, 409, 417, 419, 420, 471 r/w 34 of the Indian Penal Code.

2. The FIR is registered on 13/10/2018 by one Sudhakar Bhagaji Ghuge. The informant has mentioned in his FIR that the present Applicant introduced one Shobha Shejwal to him. The first informant was looking to secure the jobs for his sons. It is

the case of the informant that the said Shobha Shejwal represented to him that she was in a position to procure jobs for his sons and others. For that purpose the first informant showed willingness to give money. The first informant and his brother agreed to pay Rs.21 lakhs for securing jobs for their sons. The FIR mentions that at the first instance Shobha Shejwal accepted Rs.4 lakhs and that time Amol Bhalerao, Roshan Khalkar, Shobha Lad and Yogesh Lad were present with her. On the next occasion i.e. in October 2015 she again accepted Rs.5 lakhs. Again in May 2016 Rs.3 lakhs were paid by the first informant. Shobha Shejwal and others took the first informant's sons to the H.A.L factory and made a show of introducing them to higher authorities. However, no jobs were offered and thus the informant was duped by the Accused.

3. Heard learned Counsel Mr.Milind Ingole and learned APP for the State.
4. Learned Counsel for the Applicant submitted that in

the entire FIR there are no allegations against the Applicant that he made any representation or he himself had accepted the money.

5. On the other hand, learned APP submitted that the present Applicant is the main link between the first informant and Shobha Shejwal. Though Shobha Shejwal had accepted the entire amount, it was only because of facilitation of the present Applicant, this offence was committed.

6. The charge-sheet against the other arrested accused is already filed and the statements are annexed to this application. The FIR definitely mentions that the Applicant had introduced the first informant with Shobha Shejwal. Besides that, no role whatsoever is attributed to this Applicant. Representations from time to time were made by Shobha Shejwal and others. On every occasion when the money was paid by the first informant the other accused were present. But conspicuously Applicant's name does not appear in that context. Hence the Applicant was never present when the money was paid.

7. Taking into consideration all these factors, the only role which is attributed to the present Applicant is that he was instrumental in the first informant getting introduced to Shobha Shejwal who appears to be the main perpetrator of the crime. In this view of the matter, the custodial interrogation of the present Applicant is not necessary and he deserves to be protected by way of anticipatory bail. Hence, the following order :

ORDER

- (i) In the event of his arrest in connection with C.R.No.120/18 registered with Ozar Police Station, Nashik Rural, 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.)