

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 1552 OF 2019**

Sushil Sharad Patankar
Versus
The State of Maharashtra

...Applicant

...Respondent

None for the Applicant

Mr. S. V. Gavand, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 6th AUGUST 2019

P.C.

1 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-130 of 2019 registered with the Kapurbawadu Police Station, Thane, for the alleged offences punishable under Sections 420, 504, 506 r/w 34 of the Indian Penal Code.

2 None appears for the applicant. Perused the papers with the assistance of the learned A.P.P.

3 The applicant appears to be an employee of the main accused-Vilas Kasurday. It appears that the transaction was essentially between Vilas Kasurday and the complainant. It also appears that it was Vilas who

issued five post-dated cheques of Rs. 1,00,000/- each to the complainant. The facts reveal that the allegations are as against Vilas Kasurday. The applicant, as an employee, *prima facie*, cannot be foisted with any liability, more particularly, when the applicant is not alleged to have received any amount.

4 Learned A.P.P does not dispute the fact that pursuant to the interim protection granted by this Court on 17th July 2019, the applicant has reported to the Investigating Officer.

5 Having regard to what is stated aforesaid, custodial interrogation of the applicant is not warranted. Accordingly, the application is allowed. Interim relief granted by this Court on 17th July 2019, is confirmed on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station as and when called;

(iii) The applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station.

6 The application is accordingly disposed of.

7 It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.