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

ANTICIPATORY BAIL APPLICATION NO.1488 OF 2018

Bachchu Lala Ram Singh

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. Kuldeep Patil a/w Mr. H. Gulabani and Mr. S. Bansode i/b Ajit Kenjale
for the applicant.

Mr. S.S. Hulke, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 28th March 2019.

P.C.:

1] By an Order dated 16th August 2018, the applicant was granted interim relief and was directed to attend the Investigating Officer on stipulated dates, to join the process of investigation. The interim relief was granted to the applicant only on the ground that, the Investigating Officer was changed and new Investigating Officer had taken charge and had sought time.

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

3] The first information report is lodged by Shri Kashinath Surve,

Police Constable attached to Crime Branch, Mumbai.

It is the prosecution case that, the Investigating Agency received specific confidential information that a person by name Abdul Wahab Shaikh, without having any lawful authority accepts documents from people on payment of Rs.1200/- and illegally issues Aadhar Cards to them. Accordingly, a trap was led and on 18.5.2018 at about 3.30 p.m. and the co-accused Abdul Wahab Abdul Karim Shaikh was approached by the police. In his personal search five Aadhar Cards and three receipts issued in favour of different persons with an endorsement of 'Enrollment Operator/Ms. Renu Baghel' were found. During the course of investigation, it was revealed that the applicant has provided necessary machinery/gadgets to the co-accused by accepting certain amounts.

4] The learned counsel for the applicant submitted that, the applicant has no direct role to play in the present crime. He submitted that Ms. Renu Baghel is the authorised person appointed by the Competent Authority to collect the documents and to issue the said Aadhar Cards. That collecting documents on behalf of Renu Baghel of other persons cannot be termed as a crime. He submitted that, the applicant has not accepted any amount as alleged by the prosecution. He therefore prayed that the

applicant may be protected by pre-arrest bail.

5] The facts narrated hereinabove have emerged on record during the course of investigation. The record of investigation indicates that, the applicant has accepted certain amounts from other accused persons towards consideration of using the machinery for manufacturing Aadhar Cards. The applicant has no lawful Authority to do the said act. The Official entity namely Ms. Renu Baghel has not given further authority in that behalf to the applicant and it appears that the applicant in connivance with other accused persons accepted documents for allegedly giving Aadhar cards to the concerned persons.

6] The investigation of the present crime is at nascent stage and the allegations against the applicant are serious in nature and requires thorough investigation by the police. After taking into consideration the gravity of offence and seriousness of the allegations against the applicant, this Court is of the view that the applicant does not deserve to be protected by pre-arrest bail.

7] Application is accordingly rejected.

(A.S.GADKARI, J.)