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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 1765 OF 2018**

Nitin Ramesh Khond and another

.....Applicants

V/s.

The State of Maharashtra

.....Respondent

Mr. Abhishek R. Avachat for the applicants

Mr. N. B. Patil APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : FEBRUARY 25, 2019.****P.C.**

This Court having noticed the conduct of earlier Investigating Officer in the crime in question passed an order on 14/12/2018 directing the Director General of Police to look into the matter and to advise appropriate remedial measures.

2 Pursuant to said direction, the learned APP has placed on record the corrective measures ordered by Special IG, Law and Order viz. arrest of co-accused Pandharinath Raut on 20/12/2018, the

change of then Investigating Officer and issuance of show cause notice and formation of Special Squad for arrest of the applicant. The Court express its satisfaction on the action taken.

3 So far as the application for grant of pre-arrest bail is concerned, having perused investigation papers, particularly the receipts issued under the signature of the applicant accepting deposits, statement of other witnesses, in my opinion, the *prima facie* involvement of the applicant in the crime in question can be made out.

4 That being so, in the economic offence, no case for bail is made out. Application fails, rejected.

5 It shall be open for the Investigating Officer to take custody of the amount which is deposited by the applicant in this Court which he can deal with in accordance with Code of Criminal Procedure, 1973.

6 The observations made herein above are restricted to the extent of consideration of prayer for grant of pre-arrest bail.

7 In case, if, after the arrest of the applicant, applicant seeks regular bail before the Court below, the bonafides viz. deposit of the amount be weighed while dealing with the submissions for bail.

[NITIN W. SAMBRE, J.]