

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

ANTICIPATORY BAIL APPLICATION NO. 2411 OF 2019

Nitin Onkar Ahire	...	Applicant
V/s		
State of Maharashtra	...	Respondent

Mr. Kuldeep S. Patil, for the Applicant.
Mr. S.H. Yadav, APP for State-Respondent.
Mr. Girase, API attached to Vashi Police Station present.

CORAM : PRAKASH D. NAIK, J.

DATE : 7th November, 2019

PC :

This is an application for anticipatory bail in CR No. I-327 of 2019, registered with Vashi Police Station, District-Thane, for the offences punishable under Section 420 r/w 34 of Indian Penal Code ("IPC", for short).

2 The first information report was registered with aforesaid police station on 30th September, 2019. The case of the prosecution is that the accused had accepted an amount of Rs.3,60,000/- from the complainant and also introduced the complainant and witnesses to pay the sum of Rs.9,65,000/- on the assurance that they should be

provided Government jobs. The accused also forwarded forged appointment letters. The applicant had preferred anticipatory bail application before the Sessions Court, Thane, which was rejected vide order dated 19th October, 2019. From the order of Sessions Court, it is apparent that the role attributed to applicant is that he had assured the witnesses that absconding accused is having Rs. 2 crores in his account and he would return the money and asked them not to make phone call to him and lodge the complaint against him. Learned APP, on instructions from the officer, who is present in the Court, submitted that the role of the applicant is limited to the aforesaid aspect. It is also submitted that the applicant has knowledge about the whereabouts of absconding accused. In the aforesaid circumstances, the applicant cannot be subjected to custody and on certain terms and conditions, the relief sought in this application can be granted to him. Hence, the order as follows:-

ORDER

- (i) Anticipatory Bail Application No. 2411 of 2019 is allowed.
- (ii) In the event of arrest in connection with CR No. I-327 of 2019 registered with Vashi Police

Station, the applicant may be released on bail on his executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iii) The applicant shall report Investigating Officer as and when called for, till filing of the charge-sheet.
- (iv) Anticipatory Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)