

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR.**

**Criminal Application (ABA) No. 761 of 2018**

*(Syed Arshad s/o Syed Hasid and Ors. Vs. State of Maharashtra)*

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Shri P. M. Pande, Advocate for the applicants  
Shri H. D. Dubey, APP for the State/non-applicant  
Shri A. M. Haque, Advocate to assist the prosecution

**CORAM : M. G. GIRATKAR, J.**

**DATE : 24/4/2019**

Heard learned Advocate Shri Pande for the applicants.

2. Ad-interim anticipatory bail was granted to the applicants. Orders were passed and applicants were directed to pay amount of the depositors. As per the FIR, the applicants have collected amount of Rs.6,34,750/- towards the amount of bhisi. Some of the investors filed affidavit and stated that they have not received any amount from the applicants.

3. Shri Pande learned counsel for the applicants has submitted that applicant no. 4 carrying pregnancy.

4. Shri Dubey, learned Additional Public Prosecutor for the State strongly objected the present application for grant of anticipatory bail.

5. Learned APP is assisted by learned Advocate Shri A.M. Haque.

6. From the perusal of the affidavits of the members of bhisi, it appears that they have not received any amount from the applicants. Applicants have collected huge amount of Rs.6,34,750/-. Anticipatory bail granted on conditions that they shall pay all the amount to the concerned members. But, affidavit shows that they have not paid any amount. Order of this court is not complied. Hence, applicant nos. 1 to 3 are not entitled for any protection. Therefore, application of applicant nos. 1 to 3 is rejected.

7. Applicant no. 4 is lady carrying pregnancy. Hence, ad-interim anticipatory bail granted on 24.10.2018 in confirmed in respect of applicant no.4-Ilahi Anjum w/o Mirza Rizwan Baig.

8. The application is disposed of in above terms.

**JUDGE**