

Neeta S.
Sawant

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No. 1039 / 2020

Vinayak Manohar Bhosale

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

Ms. G. Geetha, Advocate for the Applicant.

Ms. Sharmila Kaushik, Advocate for the Respondent.

CORAM : SANDEEP K. SHINDE J.

DATE : 22nd December 2020.

P.C. :-

Heard.

1. Apprehending the arrest in connection with the Crime No.467/2020 registered with Rabodi Police Station for the offences punishable under Sections 420, 504, 506(II), 427 r/w 34 of the Indian Penal Code, 1860, applicant is seeking pre-arrest bail.

2. It is alleged that the applicant had assured the complainant to secure a job with State Government and on this pretext, extracted Rs. 2 Lacs. from him. Later, when complainant realized that it was a false assurance, he lodged the complaint under Section 420 of IPC.

3. Learned Counsel refuted the prosecution case and submitted that applicant had received Rs. 1 Lac from the complainant, but same was returned to him by transferring amount in installments in the bank account of the complainant. Counsel has produced applicants' bank account in support of this submission. Besides, Counsel has relied on a transcript of conversation between the applicant and complainant, which suggests that the complainant had acknowledge receipt of Rs. 1 Lac in three installments, and no additional amount was due from him.

4. In view of the above stated facts and keeping in mind the nature of accusations and additionally no criminal antecedents against the applicant have been pointed out, in my view, custodial interrogation of the applicant is not required to further investigation. Hence the following order.

ORDER

(i) In the event of arrest of the applicant in Crime No.467/2020 registered with Rabodi Police Station, he shall be released on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

(ii) The applicant shall furnish his residential address as well as permanent address and contact details to the investigating officer forthwith;

(iii) The applicant shall cooperate in the investigation and report to the Investigating Officer as and when called;

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

5. Application is allowed and disposed of accordingly.

6. It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)