

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

3 ANTICIPATORY BAIL APPLICATION NO.1252 OF 2021

BABURAO KASHINATH MALODE
VERSUS
THE STATE OF MAHARASHTRA

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Mr. S.R. Bagal, Advocate for the applicant.
Mr. A.S. Shinde, A.P.P. for respondent - State.

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CORAM : **PRAKASH D. NAIK, J.**

DATE : 13-12-2021

ORDER :

1. The offence is registered vide Crime No.221/2021 with Hadgaon Police Station District Nanded under Section 39 of the Maharashtra Money Lending (Regulation) Act, 2014. The offence was registered on 19.08.2021 by the Co-operative Officer.

2. It is alleged that complaint was received from Pandit Narwade about the activities of money lending carried out by the applicant without licence. On receipt of the complaint, residential premises of the applicant was searched and allegedly some documents were found including two blank cheques and bond papers.

3. Learned Advocate for the applicant submitted that the complainant, who made grievance with the Cooperative Officer, was working with the applicant and on account of some dispute, a false complaint is lodged. The documents which were recovered do not

include any sale deed or any valuable thing. Hence, custodial interrogation of the applicant is not necessary.

4. Learned A.P.P. submitted that during the course of investigation, several documents in the nature of bonds were recovered.

5. Per contra, learned Counsel for the applicant submitted that the complainant Pandit Narwade, who had forwarded this complaint to the informant, was acting as Mukadam and the documents pertain to the labourers, who were employed for cutting sugarcane. Even the documents suggest that the bonds were executed in respect to cutting of sugarcane.

6. It is apparent that the documents were already in possession of investigating agency. Considering the factual aspect of this matter, custodial interrogation is not necessary. Hence, I pass the following order.

ORDER

- (i) ABA No.1252 of 2021 is allowed.
- (ii) In the event of arrest of the applicant in Crime No.221/2021 registered with Hadgaon Police Station, District Nanded, the applicant be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.
- (iii) Applicant shall report the Investigating Officer on 20.12.2021, 21.12.2021 and 22.12.2021 between

11.00 a.m. and 1.00 p.m. and thereafter as and when called for, till filing of the charge-sheet.

(iv) The application stands disposed of.

(PRAKASH D. NAIK, J.)

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