

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1502 OF 2021

Nitin Mulji Bhoj

Applicant

versus

The State of Maharashtra

Respondent

Mr.Kishor M. Laxmi Maru for applicant.

Mr.Y.M.Nakhwa, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 2nd July 2021

PC :

1. The applicant is seeking anticipatory bail in CR No.13 of 2021 registered with Tardeo Police Station for offences under Sections 420, 465, 468, 471 and 34 of Indian Penal Code. The applicant preferred application for anticipatory bail before Sessions Court. The said application was rejected by order dated 18th June 2021.

2. The prosecution case is that informant was trying to get job for his wife in place of his grand-father as Class-IV employee in Municipal Corporation for Greater Mumbai ('MCGM'). The applicant after coming to know about the said fact informed the father of informant that he is willing to help them to get the job in which they will have to spend amount of Rs.6.50 lakh. Meeting was held between the relatives of the informant and it was decided to give amount to the applicant and another person namely Nanji Gujariya. The amount of Rs.4 lakh was given to them at the residence of informant. Video recording of the said incident was done. The accused also prepared false documents. Job was not provided to the wife of informant.

3. Initially learned Sessions Judge vide order dated 13th October 2020 had directed that in case complaint is registered, 72 hours notice be given to the applicant. Subsequently FIR was registered for the aforesaid offences.

4. The contention of applicant is that custodial interrogation of applicant is not necessary. He is willing to co-operate with investigation. He had visited Tardeo Police Station on 27th May 2021 and showed willingness to co-operate with investigation. The applicant is working in MCGM. He has been falsely implicated in this case. In case of arrest he would lose his employment. Custodial interrogation of the applicant is not necessary.

5. Learned APP submitted that there is strong evidence to show involvement of the applicant. One more case is registered against applicant with Tardeo Police Station vide CR No.12 of 2021. The accused are involved in fabricating documents.

6. The documents on record show that there is evidence about making payment to applicant and co-accused. The incident was video recorded. The case of prosecution is that applicant and co-accused had made false promise for securing job to the wife of informant and extracted amount and for doing so the accused prepared false documents including appointment letter. One more case was registered against applicant. Hence, no case for grant of anticipatory bail is made out. The application deserves to be rejected.

7. Hence, I pass following order :

ORDER

(i) Anticipatory Bail Application is rejected and stand disposed of as such.

(PRAKASH D. NAIK, J.)

MST