

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.965 OF 2020

Keshav Sopan Badhe	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

WITH
INTERIM APPLICATION NO.977 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO.965 OF 2020

Jyoti Dnyandev Khose	...	Applicant
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In the matter between:

Keshav Sopan Badhe	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

ALONG WITH
ANTICIPATORY BAIL APPLICATION NO.1529 OF 2021

Sunita Dnyandev Khose	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

ALONG WITH
ANTICIPATORY BAIL APPLICATION NO.967 OF 2020

Apasaheb @ Ajit Baban More	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

ALONG WITH
ANTICIPATORY BAIL APPLICATION NO.1105 OF 2020

Ashok Savkar Davkhar	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

WITH
INTERIM APPLICATION NO.976 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO.1105 OF 2020

Jyoti Dnyandev Khose	...	Applicant
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In the matter between:

Ashok Savkar Davkhar

... Applicant

Vs.

State of Maharashtra

... Respondent

Dr. Nilesh Pawaskar a/w. Mr. Vijaykumar Bhima Dighe for Applicants in ABA/965/2020, ABA/967/2020 and ABA/1105/2020.

Mr. Sanjeev P. Kadam a/w. Mr. Sushant Walimbe for Applicant in ABA/1529/2021.

Mr. Ganesh Singh i/b. Mr. S. R. Pathak for Intervenor.

Ms. A. A. Takalkar, APP for Respondent-State.

Ms. Deepali Sable, A.P.I. from Kanjurmarg Police Station.

CORAM : NITIN W. SAMBRE, J.

DATE : NOVEMBER 30, 2021

P.C. :

All these Applications can be disposed of by this common order.

2. Deceased Dnyandeo performed first marriage with the complainant and after parting with her, claimed to have married second time Sunita, who is the applicant-accused before this Court. Other three accused are the nephews of Sunita. Dnyandeo expired because of Covid infection and post his death, his bank account was hacked and amount of Rs.9,50,000/- claimed to have been withdrawn and apportioned by the applicants, and as such the offence in question.

3. Mr. Kadam, learned counsel for the wife Sunita would urge that the applicants have shown their *bonafide* by depositing an amount of Rs.4,50,000/- with the Investigating Officer.

4. All the applicants further claim that they shall be depositing amount of Rs.5,00,000/- with the Investigating Officer in any case by December 20, 2021.

5. In view of the fact that the amount is already secured and applicants have undertaken that they will be surrendering mobile of the

deceased so also their own mobiles to the Investigating Officer forthwith, a case for confirmation of ad-interim protection is made out.

6. The submission made by the applicants that all of them shall be depositing an amount of Rs.9,50,000/- by December 20, 2021 is accepted as an undertaking. Their further submission that their respective mobiles as also the mobile of the deceased shall be handed over to the Investigating Officer forthwith, in any case within a period of 72 hours from today is also taken on record as their undertaking.

7. In the aforesaid background, the ad-interim protection order stands confirmed. In the event of their arrest in C.R.No.492 of 2020 registered with Kanjurmarg Police Station, Mumbai for the offences punishable under Sections 406, 419, 420, 465, 471, 468, 404 and 34 of the Indian Penal Code, they be released on furnishing P.R. bond in the sum of Rs.20,000/- each with one or two sureties in the like amount. Applicants shall attend the Investigating Officer from 1st to 11th December, 2021 between 10:00 a.m. to 12 noon and thereafter as and when directed by the Investigating Officer. Applicant shall not influence or tamper with the evidence.

8. If the condition of depositing amount by December 20, 2021 is not complied with, the Investigating Officer shall be at liberty to take all the applicants in custody forthwith irrespective of the above protection.

9. Needless to clarify that the pay order which is drawn in the name of the Registrar of this Court is directed to be corrected in the name of the Investigating Officer in Crime No.492 of 2020 and let further amount be deposited with the Investigating Officer in the similar manner. The aforesaid corrected pay order be submitted before the Investigating Officer within a period of 72 hours from today.

10. Mr. Kadam, learned counsel acknowledges receipt of the pay order from the Investigating Officer for the purpose of correction.

11. Bail Applications are disposed of accordingly.
12. As a consequence of disposal of the Bail Applications, all pending Interim Applications taken out therein are also disposed of.

(NITIN W. SAMBRE, J.)

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