

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2165 OF 2021

Anil Daji Bhosale ... Applicant

Versus

The State of Maharashtra ... Respondent

.....

Mr. Rakesh Jadhav, Advocate for the Applicant.

Mr. Y. Y. Dabake, APP for the Respondent – State.

Mr. Shriram Bhosale (P. S. I.) Kasturaba Marg Police Station,
Present.

.....

CORAM : PRAKASH D. NAIK, J.

DATE : 7th SEPTEMBER, 2021

PER COURT:

1. This is an application for anticipatory bail in C.R. No. 367 of 2021 registered with Kasturaba Marg Police Station, Mumbai for offences under Sections 420, 465, 467, 468, 471 & 120-B r/w Section 34 of Indian Penal Code (for short “IPC”).

2. The case of the prosecution is that the applicant and the co-accused had promised the complainant that the premises will be provided to him from MHADA and complainant was induced to part with the amount of Rs.62,56,500/-. The First Information Report (for short ‘FIR’) also indicate that specifically

the amount of Rs.50,000/- was paid by cheque to the applicant from the account of the mother of complainant.

3. Learned counsel for the applicant submitted that the applicant has been falsely implicated in this case. He is willing to cooperate with the investigation. He is government employee. In the event of the arrest, the applicant and his family will suffer. His employment would be in jeopardy. The applicant being as government servant would not accept amount of Rs.50,000/- by cheque. In fact the said amount was in relation to the loan transaction. The applicant had parted amount of Rs.1,00,000/- to the complainant which was returned by him. No specific role has been attributed to the applicant.

4. Learned APP submitted that during investigation it is revealed that the applicant has played major role in the fraudulent transaction. The applicant was involved in fabricating the documents. It was revealed that the documents were not issued by MHADA Authority. The applicant is employee of MHADA. He has been suspended.

5. I have perused the police report and investigation papers. From the tenor of the FIR and documents it is apparent that the applicant has been attributed overt act. He has participated in

the crime. His complicity is revealed and fortified by the material on record. Considering these circumstances, no case for grant of anticipatory bail is made out.

ORDER

Anticipatory Bail Application No. 2165 of 2021 is rejected and stands disposed of accordingly;

(PRAKASH D. NAIK, J.)