

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2709 OF 2021**

Ramashankar Mulchand Saroj

... Applicant

V/s.

The State of Maharashtra

... Respondent

.....

Mr. Pankaj Dwivedi for the Applicant.

Mrs. M. R. Tidke, APP for the Respondent-State.

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**CORAM: MADHAV J. JAMDAR, J.
(VACATION COURT)**

DATE : 12th NOVEMBER, 2021

PC:-

1. Heard Mr. Pankaj Dwivedi, learned counsel appearing for the applicant and Mrs. M. R. Tidke, learned APP for the Respondent-State.

2. The anticipatory bail application is filed under section 438 of Code of Criminal Procedure seeking anticipatory bail in Crime No. 77 of 2021 registered at D.C.B., C.I.D., Unit-VII, Mumbai for offences punishable under sections 420, 419, 468, 471 of Indian Penal Code and sections 33, 34, 36 and 38 of Maharashtra Medical Practitioner Act.

3. The documents annexed to the anticipatory bail application shows that the applicant assisted accused Neelam Pasi in commission of the crime. Accused Neelam Pasi obtained forged degree and she does not have any valid degree or licence to practice as Doctor. The applicant allowed her to practice in his clinic. It is further to be noted

that said Neelam Pasi is wife of the applicant and Whatsapp chat between the said Neelam Pasi and the applicant clearly shows that applicant used to tell Neelam Pasi as to what treatment is to be given to the patients.

4. Learned Additional Session Judge, C.R. No. 60, Session Court, Mumbai in order dated 30th October, 2021 while rejecting the anticipatory bail application observed as follows:-

“6. True that, the copies of documents as produced with the application reveal that the applicant is a doctor and recognized to be so by Maharashtra Council of Medical and Paramedical science. However the principal allegation against the applicant is that he assisted accused Neelam Pasi in commission of the crime. The material on record reveals that accused Neelam Pasi obtained forged degree from one Dr. Kanchan Vishwakarma. In any case she does not have any valid degree or license to practice as a doctor. Still the applicant allowed her to practice in his clinic. Worth to note that accused Neelam Pasi is the wife of the applicant. It is not acceptable that the applicant may not have knowledge that accused Neelam Pasi does not hold a valid degree certificate or license to practice. The Whatsapp chat between the accused Neelam and the applicant clearly reveal that the applicant used to tell the accused Neelam Pasi as to what treatment is to be given. It appears that each and every detail was asked by accused Neelam Pasi and replied by the applicant. Even in respect of sensitive patients like pregnant woman with seven months accused Neelam Pasi acted as a doctor and the applicant sent her Whatsapp chats as to the treatment to be given. It is not that accused Neelam Pasi is a genuine doctor so that her query could be answered by the applicant. Considering all these circumstances there is clear material showing the involvement of the applicant in commission of crime. In the facts and circumstances custodial interrogation of the applicant is necessary. Therefore, the application liable to be rejected.”

5. In view of above reasons, it is very clear that the applicant is

involved in very serious crime and therefore, no case is made out for granting any relief. Therefore, anticipatory bail application is dismissed.

[MADHAV J. JAMDAR, J.]