

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

ANTICIPATORY BAIL APPLICATION NO. 2054 OF 2019

Suresh Rajaram Kumbhar	..Applicant
V/s.	
The State of Maharashtra	..Respondent

Mr. Tanveer Khan i/b. Madhukar P. Dalvi, for the Applicant.
Ms. M. M. Deshmukh, APP for the Respondent / State.
API Kandalkar, Versova Police Station Present.

MAMTA
AMAR
KALE

Digitally signed
by MAMTA
AMAR KALE
Date:
2021.08.13
15:34:50 +0530

**CORAM : C. V. BHADANG, J.
DATE : 13 AUGUST 2021**

P.C.

. The Applicant apprehending arrest in connection with investigation of Crime No.229/2018 of Police Station Versova under Section 420, 465, 467, 468, 471, 472, 473, 474 and 406 r/w. Section 34 of IPC, is seeking anticipatory bail.

2. The Applicant was working as a Peon with the Accused Rajesh Dahanukar. The prosecution case as disclosed from the complaint lodged by Neha Patidar is that with the assistance of Mr. Rajesh Dahanukar she had obtained a loan of Rs. 1 Crore from Dena Bank for which her flat was mortgaged. She paid the

EMI of Rs.1,80,000/- for some time till March 2016. She claimed that in March 2016 as she was unable to pay such EMI, Rajesh Dahanukar represented that loan can be got transferred to Satara Co-operative Bank Ltd. Branch Vadala for which her signatures were obtained on certain documents by Mr. Rajesh Dahanukar. The material allegation is that the loan was sanctioned by Satara Co-operative Bank Ltd. and that amount was transferred to the account of co-accused Ashish Dutt, after which, an amount of Rs.2,39,20,474/- was transferred to the account of present Applicant and from the account of the present Applicant various amounts were transferred to other accounts including that of co-accused Shilpa Pathare in whose account amount of Rs.26,60,000/- was transferred. According to the Applicant, he acted at the instance of Mr. Rajesh Dahanukar with whom he was employed and he has no role to play in the alleged offence.

3. I have heard the learned counsel for the parties. Perused record.

4. Learned APP states that the investigation is complete and the chargesheet is already filed. She further states that the Applicant had not co-operated during the course of investigation. The record discloses that this Court had granted anticipatory bail to Shilpa Pathare on 4 September 2019 in ABA No.1864/2019. Accused Rajesh Dahanukar and Ashish Dutt are also stated to be

released on regular bail. The record further discloses that interim protection was granted to the Applicant on 24 September 2019. Considering the over all circumstances, the Criminal Application is disposed of in terms of the order dated 24 September 2019 subject to the condition that the Applicant shall attend the Investigating Officer on 16th, 23rd and 30th August 2021 between 11.00 a.m. to 2.00 p.m. and as and when required by the Investigating Officer. The Applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence / witnesses. Liberty to the prosecution to apply for cancellation / modification in the event of breach of any of the conditions.

(C. V. BHADANG, J.)