

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

ANTICIPATORY BAIL APPLICATION NO.3112 OF 2021

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Mr. Anil Kumar Pradhan

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Saurish Shethe i/by Premkumar R. Pandey a/w Ms. Khushboo Pathak, for the Applicant.

Ms. A. A. Takalkar, APP for the Respondent – State.

Mr. Vishal Choudhary, PSI, Santacruz Police Station – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 22nd DECEMBER, 2021

PC.

1. Applicant is seeking pre-arrest bail in Crime No.461 of 2021 registered with Santacruz Police Station, Mumbai for the offence punishable under Sections 406, 420 r/w 34 of IPC.

2. The prosecution case is, the present applicant manages company by name Aerospace and Aviation Technical Services. The complainant was lured by the applicant to invest and offered partnership.

3. Accordingly, applicant after having accepted the amount has not honoured his promise resulting into registration of the crime.

4. Submissions of learned counsel for the applicant are that

only an amount of Rs.6,00,000/- was received in the account of the applicant from the complainant. He would further claim that complainant has admitted that applicant has permitted him to participate in the business and as such it can be inferred that the necessary ingredients of the offence are not made out.

5. He would draw support from certain judgments of the Hon'ble Apex Court to substantiate his aforesaid claim.

6. Learned APP would oppose the prayer based on the investigation papers.

7. The fact that the amount as received in the account of the applicant is establishment from the investigation papers.

8. There are five complainants who have named the applicant in the FIR that he has received consideration in similar manner. There are two other similar antecedents.

9. In the aforesaid background, *prima-facie* involvement of the applicant can be noticed in an economic offence.

10. That being so, no case for bail is made out.

11. Application as such stands rejected.

[NITIN W. SAMBRE, J.]