

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 ANTICIPATORY BAIL APPLICATION NO.510 OF 2022

BHAGAWAN SHRIRAM ARSUL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr Datta A. Madake
APP for Respondent/State : Mr V.M. Kagne

...

CORAM : S. G. MEHARE, J.

DATE : 29th JUNE, 2022

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. The applicant seeks anticipatory bail under section 438 of Cr.P.C. in Crime No. 157 of 2018 registered with Police Station, Ausa, Dist Latur.
3. The applicant has a case that he is a Watchman working with Shambhu Mahadev Sugar and Allied Industries Ltd., Havargaon, Tal. Kalamb, Dist. Osmanabad. He was never the Director of Shubh Kalyan Multi State Co-op. Credit Society Ltd., Havargaon, Tal. Kalamb, Dist Osmanabad. He was surprised to know that he was shown as Director of the said Credit Society. He never attended the meeting of the said Co-operative Society nor signed any document of accepting or borrowing the money from the depositors or borrowers. The fraud has been played by one Dilip Shankararao Apet. He was the key person in forming the said co-operative credit society and committing fraud with the depositors and borrowers. The various crimes are registered against the said Co-operative Credit Society. However, the applicant has been made a scapegoat. He has absolutely no knowledge about the business of the

said Co-operative Credit Society. Therefore, he prayed for interim protection.

4. The learned APP for the State pointed out that on the similar facts, this Court has granted the protection to the applicants from their arrest.

5. From the submissions and the averments made by the applicant in application and the oral arguments advanced by the learned counsel for the applicant, there appears substance in the submissions made by him. There is no prima facie material against the applicant to undergo the custodial interrogation. He has placed on record the documents showing that he was a Watchman with Shambhu Mahadev Sugar and Allied Industries Ltd. Havargaon.

6. Considering the facts of the case, the applicant appears to have a good case for anticipatory bail. Hence, the following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, the applicant, Bhagwan Shriram Arsul in Crime No. 157/2018 registered with AUSA Police Station, AUSA, Dist. Latur for the offences punishable under Sections 420, 409, 406, 467, 120(B) of I.P.C. read with Sec. 3 and 4 of the Maharashtra Protection of Interest of Depositors Act, 1999, be released on bail on executing PB and SB of Rs.20,000/- (Rupees Twenty Thousand) with one solvent surety of the like amount, on the conditions that he shall attend the Police Station as and when called by the Investigating Officer on written notice and shall not tamper with the prosecution witnesses.

[S. G. MEHARE, J.]