

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.**

19 ANTICIPATORY BAIL APPLICATION NO.787 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 : JULY 11, 2022**

PER COURT : -

1. Heard the learned Advocate for the applicant and the learned APP for the Respondent – State.
2. The learned Counsel for the applicant would submit that the applicant was a watchman in one sugar factory. He does not know how he has been made as Director of offending Financial Establishment. Various crimes have been registered against him and other co-accused. He has no role to play in the alleged misappropriation of the money of the investors. Nothing is to be recovered from him. Hence, the interim protection already granted to the applicant may kindly be confirmed.
3. The learned APP opposed the application contending that the applicant was absconding since 2019, therefore, he is not entitled to the bail.

4. A perusal of the FIR and papers placed before this Court, reveals that the applicant was the watchman in one sugar factory. Possibility of having no knowledge that how he was made the Director of the offending Financial Establishment cannot be ruled out. The prosecution has no material to show that in the investigation it has been transpired that the applicant is absconding.

5. Considering the status of the applicant and the alleged incident, this Court is of the view that the custodial interrogation of the applicant would serve no purpose. Hence, the following order :

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the applicant by order dated 27.06.2022 is confirmed on the same bail conditions with additional condition to attend the concerned Police Station as and when called by the Investigating Officer.

[S. G. MEHARE]
JUDGE