

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

ANTICIPATORY BAIL APPLICATION NO.1038 OF 2022

SAHEBRAO WAMAN THAKRE @ GURUJI ..APPLICANT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Sanket N. Suryawanshi, Advocate for the
Applicant.

Ms. V. S. Choudhari, APP for Respondents-State.

...

CORAM : S. G. MEHARE, J.

DATED : 24th AUGUST, 2022.

PER COURT:-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2. The learned counsel for the applicant has vehemently argued that, the applicant has been falsely implicated in the crime. He has no concern with any of the incident. The false allegations have been levelled against him that the money was collected under his name and the promise to make the amount double. The applicant is neither a Babaji nor Guruji. He is an agriculturist. He has not received a single penny from the complainant, but reasons best known to other co-accused why they have involved him in the crime. Nothing is to be recovered from him. He is ready to co-operate with

the investigation. Therefore, anticipatory bail may be granted to him.

3. The learned APP has strongly opposed the application contending that the applicant is master mind behind the entire episode of cheating and grabbing money from the persons under the promise to make the money double. She would also point out that there is evidence against the applicant that he met the complainant and directed to pay the money to the co-accused. She would also point out that there is a direct evidence against the applicant that he was directing the complainant to pay the money and under his promise the money has been paid. However, the applicant with other co-accused disappeared and cheated the complainant with huge amount of Rs.7,75,000/-. It has also been transpired in the investigation that the applicant and others were using fake mobile numbers. The applicant was also using mobile number in the name of other person. The act of the applicant shows his intention to cheat. Therefore, the applicant is not entitled to anticipatory bail.

4. Perused the papers placed on record. There appear substance in the arguments advanced by the learned APP and there is a direct evidence against the applicant. The applicant was directing the complainant to pay money to other co-accused and he made promise to make the money double. He is self declared spiritual baba. All the accused

in conspiracy were cheating the poor people under the pretext of making their money double. Prima facie, it seems that the offence is serious. The amount received from the complainant is yet to be recovered. Therefore, this Court is of the view that this is not a fit case for anticipatory bail. Hence, the application stands dismissed.

(S. G. MEHARE)
JUDGE