

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

ANTICIPATORY BAIL APPLICATION NO.1304 OF 2022

VIJAYKUMAR KEDU WANI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Bhokarikar Madhav M.
APP for Respondent/State : Ms. V.S. Choudhari

...
CORAM : S.G. MEHARE, J.

DATED : 07th OCTOBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The facts have been discussed in detail in an order dated 29.09.2022. The present applicant is the brother-in-law of the main accused. He runs his medical shop at 200 km away from the shop of the main accused. He has been arraigned as an accused after fifteen days of lodging the report. *Prima facie*, there was no material with the prosecution to show that the applicant has any concern with the business of the main accused. The applicant has a good case on merit.
3. Learned APP has strongly opposed the application contending that the poor agriculturists have been duped. The applicant has an active role in the business run by the co-accused. There is great possibility that the money collected by the co-accused

has been invested with the present applicant. Hence, the application deserve to be dismissed.

4. Perused the papers produced by the learned counsel for the applicant along with FIR. After having gone through the allegations levelled against the main accused, it seems that he did not pay money to the agriculturists and the payment of grain was due. However, there appears no allegations against the applicant. His seems to have involved because he is the relative of the main accused. There is nothing on record to believe that the applicant has nexus with the business of the main accused. Hence, he has a good case for anticipatory bail. Therefore, the following order:

ORDER

- I) Application is allowed.
- II) The order granting interim protection to the applicant dated 29.09.2022 is confirmed on the same terms and conditions.

(S.G. MEHARE, J.)