

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

ANTICIPATORY BAIL APPLICATION NO. 2101 OF 2022

Vyankatesh Mallinath Swant	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Ritesh Thobde a/w. Sagar Tambe for the Applicant.
Ms. G.P. Mulekar, APP for the State.
Mr. D.B. Kodwale, Faujdar Chawdi Police Station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 24th AUGUST, 2022.

P. C. :-

. This is an Application under section 438 of Cr.P.C. for pre-arrest bail in C.R.No.391/2022 registered with Faujdar Chawdi Police Station, Dist. Solapur for offences punishable under sections 420, 417 of the Indian Penal Code.

2. Heard learned counsel for the Applicant and learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime was registered pursuant to the First Information Report lodged by Shrikant Arvind Konda, Branch Manager,

ICICI Bank, North Kasaba, Dist. Solapur. The case of the prosecution in short is that one Samadhan Nanaware had availed loan of Rs.2,06,000/- by pledging gold ornaments. The Applicant who is a registered valuer, had certified the ornaments to be of gold. However, subsequently, at the time of audit, it was revealed that the ornaments were of yellow metal and not of gold. It is stated that the Applicant is employed as a valuer with the bank since last 20 years. There is no material on record to indicate that he was involved in similar crimes. The question whether the Applicant was negligent or whether he had intentionally certified the ornaments as of gold, needs adjudication at the time of trial.

4. Considering the nature of the accusations, at this stage, the presence of the Applicant is not required for custodial interrogation. Hence, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the Applicant in C.R.No.391/2022 registered with Faujdar Chawdi Police Station, Dist. Solapur, he shall be released on bail, on furnishing PR. bonds in the sum of Rs.25,000/- with one or more sureties in the like amount ;

(b) The Applicant shall report to the Investigating Officer for four days from 29/08/2022 from 10:00 a.m. to 01:00 p.m.

(c) The Applicant shall not interfere with the complainant and the other prosecution witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;

(d) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

5. Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)