

Darshan Patil

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

BAIL APPLICATION NO. 457 OF 2022

Moinuddin Aminuddin Goldar ..Applicant

vs.

The State of Maharashtra ..Respondent

Mr. Tushar M. Kadam, for applicant.
Mr. S.V. Gavand, APP for respondent.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 29, 2022

P.C. :

- 1.** Heard learned counsel for the applicant.
- 2.** This is an application for bail filed by the applicant – Moinuddin Aminuddin Goldar, in connection with C.R. No. 09 of 2021, registered with DCB, CID, Unit-VIII (C.R. No. 13 of 2021 at Bangur Nagar Police Station), for the offence punishable under sections 420, 465, 468, 471 read with 34 of Indian Penal Code, 1860.
- 3.** The applicant is the original accused no. 4. The DCB,

CID, Unit-VIII received secret information and accordingly a raid was conducted on 11/01/2021 at the office premises of the placement service running in the name and style as "Mumbai Shree Consultancy" at Evershine Mall, Malad (West), Mumbai. It is alleged that the placement service was luring young and needy youths in India with a promise that they would be given employment in foreign countries under the hope that necessary formalities like Visa, appointment/call letter etc. will be ensured. The victims paid Rs. 80,000/- to Rs. 1,00,000/- each. The total amount alleged to have been collected from the victims is to the tune of Rs. 50,00,000/- and more. During the raid, the applicant was found working in the office of the placement consultancy. The applicant as an employee was collecting the cash and depositing it with the consultancy. The applicant appears to be an employee.

4. Charge-sheet has been filed. It is not the case that the applicant is the owner of the consultancy service or that he facilitated the parting of the money. It is further not the case that any amount which has been received to the

consultancy service has been found to be deposited in the account of the applicant. The applicant is in custody since the date of his arrest i.e. from 12/01/2021, almost for a period of more than 1 year and 10 months. There is no likelihood of the trial commencing in the near future. Learned counsel for the applicant submits that the permanent address of the applicant is of Kolkata. The residential address of the applicant is provided in the cause title. Learned counsel for the applicant submits that all the details of applicant's whereabouts, i.e. his residential address and the telephone numbers will be provided to the investigating officer as well as to the Trial Court. There is no reason to keep the applicant in custody any further. Hence the following order.

ORDER

(a) The applicant- Moinuddin Aminuddin Goldar shall be released on bail, in connection with C.R. No. 09 of 2021, registered with DCB, CID, Unit-VIII (C.R. No. 13 of 2021 at Bangur Nagar Police Station), on furnishing P.R. Bond in the sum of

Rs.25,000/- with one or more sureties of the like amount.

(b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(c) The applicant shall report to the Investigating Officer, for the period of 4 months from today, on the 1st day of every month between 11.00 a.m. to 1.00 p.m. and thereafter as and when called.

(d) In the event, the applicant has a passport, the same shall be handed over to the Investigating Officer. If he does not possess any passport, he shall file an affidavit in that regard before the Trial Court.

(e) On being released on bail, the applicant shall furnish his contact number and residential

address to the Investigating Officer and shall keep him updated, in case there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)