

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

ANTICIPATORY BAIL APPLICATION NO. 551 OF 2022

Arvind Kumar Pandey

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. Rakesh Jadhav for the Applicant.

Mr. S.H.Yadav, APP for the State.

**CORAM : ANUJA PRABHUDESSAI,J.
DATED : 15th MARCH, 2022.**

P.C.

1. The Applicant herein has filed this application under Section 438 of Cr.P.C. apprehending his arrest in Crime No. 150 of 2020, registered with Sewree Police Station for the offences under Section 306, 420 of Indian Penal Code.

2. One Shri Bharat Chalwadi, aged about 40 years, committed suicide on 31.07.2020. He left behind a suicide note alleging that one Bhola Maharaj of Narayan Gurukul Trust, Ayodhya, had assured him to earn secret money and had told him that he would have a male child. On this assurance Bhola Maharaj cheated him of Rs.10-12 lakhs. Said Bharat had taken loan from several persons. Realizing that he was cheated, and considering the situation, he committed suicide, leaving behind suicide note.

3. The wife of the deceased lodged a complaint before the police on

3.9.2020, alleging that said Bholanath had cheated her husband and was responsible for the death of her husband. The records reveal that the main accused Bhola Maharaj has been arrested and he has been subsequently released on bail. It is stated that the chargesheet has been filed. The Applicant has been implicated in this case since sum of Rs.3,11,000/- was transferred in his account by the deceased.

4. Learned Counsel for the Applicant states that Bhola Maharaj is his uncle, and that since he did not have separate account, the money which was paid to Bhola Maharaj was transferred in his account. Learned Counsel for the Applicant states that he will deposit the said amount before the trial Court and that the same be paid to the wife of the deceased.

5. Considering the limited role attributed to the Applicant, and also considering the fact that he has otherwise co-operated with the investigation, in my considered view, the Applicant is entitled for bail. Hence the following order:

- (i) In the event of arrest of the applicant in Crime No. 150 of 2020, registered with Sewree Police Station, the Applicant be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer. One of the two sureties shall be a local surety.

- (ii) The Applicant shall report to the Investigating Officer for four days from 21.03.2022, and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.
- (iii) The Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer.
- (iv) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.
- (v) The Applicant shall not interfere with the complainant and the other witnesses in any manner.
- (vI) The amount of Rs.3,11,000/- deposited by the Applicant be paid to the widow of the deceased.

PRASANNA P
SALGAONKAR

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by PRASANNA
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2022.03.17
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(ANUJA PRABHUDESSAI, J.)