

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

ANTICIPATORY BAIL APPLICATION NO.1640 OF 2022

Digitally
signed by
BALAJI
GOVINDRAO
PANCHAL
Date:
2022.09.23
09:51:20
+0530

Kunal Ashok Doiphode & Anr. ..Applicants
Versus
State of Maharashtra & Anr. ..Respondents

Mr. Rahul K. Bhaygude, for the Applicants.
Ms. Sharmila S. Kaushi, APP for the Respondent No.1/State.
Mr. Advait U. Shukla, for the Respondent No.2.
Mr. Yuvraj Godke, PSI, Baramati City Police Station – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 20th SEPTEMBER, 2022

PC.

1. Applicants are seeking pre-arrest bail in Crime No.241 of 2022 registered with Baramati City Police Station for the offence punishable under Sections 420, 464, 467, 468, 470, 471, 120B and 114 of IPC.

2. Case of the prosecution is, out of five accused, one of them impersonated Naresh, transferred the immovable property for a consideration and as such embezzled amount of consideration.

3. The allegation against the applicants is that of opening of account in the name of false person and illegally withdrawing of the amount etc. Submissions of counsel for the applicants are,

applicants are no way connected with the offence in question. According to him, there are no criminal antecedents against the applicants and the applicants are very much available for the investigation. He would urge that there is no iota of evidence against the applicants and that being so, he would urge that applicants deserve to be protected.

4. Learned APP assisted by the Investigating Officer would oppose the prayer for grant of bail.

5. The statement of officials from Axis Bank not only reveals about active participation of the applicants but also in the matter of opening of the account, withdrawal of the amount etc.. The trail of the amount withdrawn by the applicants was duly investigated and the applicants have spent said amount as can be noticed.

6. There is enough evidence collected during the investigation so as to connect the applicants to the offence in question establishing their *prima-facie* involvement. That being so, no case for grant of pre-arrest bail is made out.

7. The application as such fails, dismissed.

[NITIN W. SAMBRE, J.]