

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

ANTICIPATORY BAIL APPLICATION NO.2274 OF 2022

Revan @ Kisan Sambhaji Bandgar	..Applicant
Versus	
The State of Maharashtra	..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.2277 OF 2022**

Abhijit Revan Bandgar	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Jaydeep D. Mane, for the Applicant in both Applications.
Mr. A. A. Palkar, APP for the Respondent/State.
Mr. Vishal Mahadev Dandge, API, Foujdar Chawdi Police Station,
Solapur City – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 22nd SEPTEMBER, 2022

PC.

1. Both the applicants are seeking pre-arrest bail in Crime No.363 of 2022 registered with Foujdar Chawdi Police Station, Solapur for the offence punishable under Sections 384, 506 r/w 34 of IPC and Sections 39 and 45 of Bombay Money Lending Act.

2. The prosecution case is, both the applicants are father and son duo are in the business of private money lending. Complainant alleged to have taken hand-loan, however, she was

charged 30% to 40% interest per month and made to sale her encroached hut to Mr. Nikam. It is claimed that consideration of Rs.1,60,000/- was received by the applicants in cash and even thereafter applicants approached the complainant for recovery of additional amount. As such, offence in question.

3. Contention of counsel for the applicants is, the offence at the most is punishable upto three years and applicants have co-operated with the Investigating Officer. According to him, there is hardly any material on record to connect applicants in the crime in question particularly when neither Notary Register nor transfer document of hut speaks of applicants being beneficiary of the transaction.

4. Learned APP based on the investigation papers would oppose the prayer.

5. I have appreciated the submissions.

6. Not only the purchaser of the hut of the complainant, but also the Notary has also given a statement implicating both the applicants. Applicants alleged to have received major part of consideration parted by the purchaser Mr. Raju Nikam. In addition to above, involvement of the applicants in the said transaction is fortified by the statement of Notary, namely Yallappa Patil.

7. Certain incriminating material was seized from the house of applicants which contains details about private loans advanced by the applicants to various persons, which also contains name of victim i.e. complainant. All the aforesaid background justifies claim of the Investigating Agency of requirement of custodial interrogation. That being so, in this background, there is enough material to infer *prima-facie* involvement of the applicants in the crime in question i.e. non-bailable offence.

8. Both the applications as such fail, rejected.

[NITIN W. SAMBRE, J.]