

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

BAIL APPLICATION NO.3747 OF 2021

Sagar Bapu More

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Aniket Nikam with Mr. Amit Icham and Mr. Adesh Satpute for the Applicant.

Mr. A.A. Palkar, APP for Respondent -State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED :29th NOVEMBER, 2022.

P. C. :-

1. This is an application under Section 439 of Cr.P.C., who has been arrested in Crime No. No.353 of 2019 registered with Vishrambaug Police Station, District-Pune-city for the offences punishable under Section 420 r/w 34 of the Indian Penal Code.

2. Heard Mr. Aniket Nikam, learned counsel for the Applicant and Mr. A.A. Palkar, learned APP for the Respondent-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 FIR

lodged by Sagar Mohol alleging that he and his wife had invested an amount of Rs.10,12,500/- in the account of Future Maker Life Care Pvt. Ltd. Company on an assurance that they would be provided products of insecticide and other agricultural products. They were also told that they would be made distributors and core committee members and would be eligible for lifetime dividend of Rs.7,000/- to Rs.70,000/- for a period of 24 months and several other benefits. Against the said payment, the Complainant was paid an amount of Rs.72,500/- towards royalty but subsequently they did not receive any agricultural product as assured. The Complainant realised that he has been cheated and hence lodged the FIR.

4. In the course of the investigation, it was revealed that several other investors were defrauded to the tune of Rs.52,00,000/-. The Applicant herein was working only as an agent. There is no prima facie material to show that any amount was deposited in the account of the Applicant. It is seen that though the Directors of the Company are arrayed as accused, till date they have not been arrested in this crime.

5. Considering the nature of accusations against the Applicant and the material in support thereof, in my considered view this would

be a fit case for grant of bail. Hence, the application is allowed on the following terms and conditions:-

- (i) The Applicant, who has been arrested in Crime No. No.353 of 2019 registered with Vishrambaug Police Station, District-Pune-city, is ordered to be released on bail on furnishing PR bonds in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (ii) The Applicant shall report to the investigating officer of the concerned police station on the first day of every month till framing of the charge.
- (iii) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact number, and /or change of residence or mobile details, if any from time to time.
- (iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the Complainant, witnesses or any person concerned with the case.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)