

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2595 OF 2022**

Sachin Popat Dabhade .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Vijay Kurle with Mr.Amay Pilay and Mr.Samkit Shah for the Applicant.

Mr.S.V.Gavand, A.P.P. for the State/Respondent.

API Bhandare, attached to L.T.Marg Police Station, present.

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**CORAM: BHARATI DANGRE, J.
DATED : 20th OCTOBER, 2022**

P.C:-

1. As directed by order dated 12/10/2022, learned A.P.P. has ascertained the statement made by the learned counsel for the applicant that he has remitted 72 to 80% of the loan amount. Learned A.P.P. Mr.Gavand, on instructions from the Investigating Officer, who in turn has obtained necessary information from the IDBI Bank, reveals that an amount of Rs.8,36,350/- has been repaid, out of the loan sanctioned in his favour to the tune of Rs.14,26,000/-.

Learned counsel Mr.Kurle makes a specific statement that he is continuing to pay the amount to the bank and his

solemn statement before the Court is, he shall clear the loan amount.

2. On perusal of the complaint it can be seen that the main kingpin is one Maqsood Ismail Patel and it is he, who is accused of working hand in glove with bank officials to get the loan sanctioned and of disbursing it in the duplicate bank account created by him in the name of Sharayu Motors and, thereafter, from this account, by deducting the commission, he is alleged to have used the amount for commercial purpose.

As far as the present applicant is concerned, the submission is, the applicant himself is a victim at the hands of Maqsood Patel, and from the submissions of the learned A.P.P., it can be said that the applicant is a borrower of the loan from the IDBI Bank and he has also remitted the loan amount partially and has further undertaken to repay the loan.

3. In the wake of the clear statement coming from the counsel from the applicant and, particularly, when Maqsood Patel is not arrested till date and response of the Investigating is that he is absconding, I do not think that the custodial interrogation of the applicant is necessary. He, therefore, deserve his release on bail on the following conditions.

: ORDER :

(a) Application is allowed.

(b) In the event of arrest in connection with C.R.No.781 of 2021 registered with L.T.Marg Police Station, applicant-Sachin Popat Dabhade shall be released

on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(c) The applicant shall report to the concerned police station as and when called for.

(d) The applicant shall continue to repay the loan amount sanctioned in the name of Sachin Popat Dabhade in the IDBI Bank.

(e) 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 and shall not tamper with evidence.

(SMT. BHARATI DANGRE, J.)