

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (ABA) NO. 537 OF 2022**

Babanrao s/o Namdeorao Rakhunde **Versus** State of Maharashtra, thr. its Officer-in-charge, PS Wathoda, Nagpur.

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Shri N. Bhishikar, counsel for the applicant.

Shri A.R.Chutke, APP for the non-applicant/State.

**CORAM : ANIL S. KILOR, J.**  
**DATED : 10/08/2022**

1. The applicant is seeking pre-arrest bail in connection with Crime No. 207/2022, dated 31/05/2022, registered with Police Station Wathoda, District - Nagpur, for the offences punishable under Sections 420, 465, 467, 468, 406, 469, 120-B, 34 of the Indian Penal Code, 1860.

2. Learned counsel for the applicant submits that, except the allegation that the applicant has given possession letter in favour of the complainant, there are no allegations, particularly saying that any amount was received by the applicant in the alleged offence. However, Shri Bhishikar, learned counsel for the applicant, on instructions, submits that to show his bonafides, the applicant is ready to deposit Rs. 1,50,000/- (Rs. One Lakh Fifty Thousand) in the trial Court. Accordingly, he prays for grant of pre-arrest bail.

3. On the other hand, Shri Chutke, learned APP strongly opposed the present application.

4. I have perused the Case-diary and the First Information Report(FIR).

5. The allegations are mainly against Amzad Khan and Ashfaq Khan. The allegation shows that the amount was paid to Amzad Khan. As far as the present applicant is concerned, it refers to the applicant only in respect of the issuance of possession letter, being the owner of the layout.

6. In the above-referred backdrop and considering the undertaking given by the applicant, that, he will deposit of Rs.1,50,000/- (Rs. One Lakh Fifty Thousand) to show his bonafides, I am of the opinion that, the applicant is entitled for grant of pre-arrest bail. Accordingly, I pass the following order:-

- a) The criminal application is **allowed**.
- b) The ad-interim anticipatory bail granted by this Court on 18/07/2022, is confirmed.
- c) Subject to the deposit of Rs. 1,50,000/- (Rs. One Lakh Fifty Thousand) in the trial Court, as per the undertaking given by the applicant, within four weeks from today.

**[ANIL S. KILOR, J.]**