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

CRIMINAL APPLICATION (ABA) NO.775 OF 2021

(ATUL SURENDRA CHOURE...VS.. STATE OF MAH. THR. PSO PS, GONDIA(CITY), DIST. GONDIA)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri S.K.Bhandarkar, Advocate for Applicant.
Shri V.A.Thakre, A.P.P. for Non-applicant/State.
Shri S.K.Utwal & Shri S.K.Soni, Advs. to Assist Prosecution.

CORAM : ANIL S. KILOR, J.
DATED : FEBRUARY 18, 2022.

This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in Crime No.701 of 2021, registered on 22/09/2021 with Police Station, Gondia (City) on a complaint of one Mayur Bandulal Date against the applicant and other accused persons for the offences punishable under Sections 420, 465, 466, 471 of the Indian Penal Code.

2. It is the case of the prosecution that the complainant lodged a complaint alleging therein that the present applicant along with main accused Uttam Mohan Khandekar by giving false promise of employment in Railway Department, extracted money from him. It is further alleged that there are many persons like the complainant who are the victims of the present applicant and other accused persons from whom the accused persons have extracted money on the said pretext.

3. I have heard the learned counsel for the applicant and the learned A.P.P. for the non-applicant/ State.

4. Shri Bhandarkar, learned counsel for the applicant submits that the applicant was falsely implicated in the alleged offence. It is further submitted that as per the directions of this Court, the applicant has attended the Police Station. Accordingly, he prays for confirmation of ad-interim bail granted to the applicant vide order dated 17/11/2021.

5. On the other hand, learned A.P.P. Shri Thakre strongly opposed the application and points out from the case diary that in two crimes, namely present Crime No.701/2021 (instant case) and Crime No.428/2021 her involvement is there and sufficient material has been collected by the Investigating Agency where-from his role can be seen in the alleged offence.

6. After perusal of the case diary, I am of the opinion that since the offence is serious and as the *prima-facie* involvement of the applicant is apparent. Moreover, the learned A.P.P. submits that applicant's custody is required to unearth the racket. Hence, I am not inclined to confirm the ad-interim bail granted to the applicant by this Court vide order dated 17/11/2021.

The application is **rejected**.

Signed By:RAJIV BABARAO RAUT
PRIVATE SECRETARY
Signing Date:22.02.2022 16:56

JUDGE

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