

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

Anticipatory Bail Application No. 875 of 2021

Ashish S/o Namdeo Chauhan

Versus

State of Maharashtra, through Police Station Officer, Police Station
Gondia,

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

Court's or Judge's Order

Shri S.K.Mishra, Senior Advocate with Shri R.D.Kalra
Advocate for the applicant.

Shri S.D.Sirpurkar, APP for the non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 15th MARCH, 2022.

Applicant was granted ad-interim protection vide order dated 20th December, 2021 and while granting ad-interim protection, the applicant made a statement that he was ready to deposit of Rs.5,00,000/- to show his bonafide as the allegations are that the applicant has duped the complainant and his friends by Rs.14,50,000/- by giving them assurance to give job in Assam Rifles. It is stated that Rs.5,00,000/- has already been deposited to show his *bonafides*.

2. I have perused the case diary and also contents of the First Information Report.

3. The alleged incident took place in the month February, 2016 and the alleged bogus appointment orders were given to the complainant and his friends in the year 2017. Whereas, the complaint was lodged in the month of November, 2021 i.e. after more than four years.

4. The explanation for delay is that the applicant has not repaid the amount as promised by the applicant to the complainant and his friends.

5. It is revealed that the alleged bogus appointment orders have already been seized by the police. The applicant attended the police station as directed by this Court while granting ad-interim protection to the applicant. There is no complaint of misuse of liberty by the applicant. Applicant is the police constable and is in a permanent job in the police department, therefore, there is no possibility that the applicant would abscond. Thus, in the above said backdrop, I am of the opinion that order dated 20th December, 2021 granting ad-interim anticipatory bail needs to be confirmed.

6. Accordingly, I pass the following order.
- i. Application is allowed.
 - ii. Order dated 20th December, 2021 is confirmed with modification that the applicant shall attend the police station as and when his presence is required. It is made clear that when the presence of the applicant is required, he shall be served with 72 hours notice in advance.
 - iii. Rs.5,00,000/- deposited in this Court by the applicant shall be transferred to the trial Court.
 - iv. The application is disposed of.

[ANIL S. KILOR, J.]

SACHINDANAND
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by
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Date: 2022.03.15
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