

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.256 OF 2023

SANJAY BABULALJI SHARMA

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. A. S. Gandhi

APP for Respondents: Mrs. G. L. Deshpande

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CORAM : R.M. JOSHI, J

DATE : JULY 06, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 259 of 2018 (CCTNS No. 697 of 2018) registered with Jamkhed Police Station, Tq. Jamkhed, Dist. Ahmednagar for the offences punishable under Sections 120B, 406, 409, 420, 468, 471, 467, 34 of IPC and Section 3 of M.P.I.D. Act.

2. This is the case wherein Applicant is accused in 8 other different offences in respect of misappropriation of the funds. Applicant is Vice-chairman of Parivartan Urban Multistate Co-operative Credit Society. It is alleged that in all 8 branches of society misappropriation was done and that present Applicant being vice-chairman is also responsible for

the same.

3. Learned Counsel for the Applicant states that Applicant is enlarged on bail in all 8 offences after he was behind the bar for about 11 months. It is also stated that the property worth Rs. 2 crores is already seized and he has already undertaken for not to create third party interest therein. He, therefore, submits that for want of custodial interrogation the liberty of the applicant deserves to be protected.

4. Learned APP opposed the application on the ground that the huge amount is involved in the crime and in all 8 branches of the society fraudulent activities were done. Learned APP, however, was unable to point out from the investigation papers as to what purpose now the custodial interrogation of the Applicant is necessary.

5. Merely because, 9 offences are registered against Applicant he cannot be denied anticipatory bail if no custodial interrogation of the Applicant is required. Since the Applicant is enlarged on bail in connection with 8 offences, there is no reason to

apprehend his abscondence. Hence, Application is allowed in terms of interim order dated 24th April, 2023 with a condition that Applicant to appear before the investigating officer once in fortnight.

(R.M. JOSHI, J.)

Malani