

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

ANTICIPATORY BAIL APPLICATION NO.1169 OF 2023

**MANISH MAKRAND SINGH
VERSUS
THE STATE OF MAHARASHTRA**

Mr. H. P. Randhir and Mr. S. K. Agrawal, Advocate for the applicant
Mr. S. P. Sonpawale, APP for the respondent/State

WITH

ANTICIPATORY BAIL APPLICATION NO. 971 OF 2023

**AMITKUMAR JAYKISAN SINGH
VERSUS
THE STATE OF MAHARASHTRA**

Mr. H. P. Randhir and Mr. S. K. Agrawal, Advocate for the applicant
Mr. S. P. Sonpawale, APP for the respondent/State

WITH

ANTICIPATORY BAIL APPLICATION NO. 972 OF 2023

**CHANDANSINGH RAMESWAR SINH
VERSUS
THE STATE OF MAHARASHTRA**

Mr. H. P. Randhir and Mr. S. K. Agrawal, Advocate for the applicant
Mr. S. P. Sonpawale, APP for the respondent/State

CORAM : R. M. JOSHI, J.
DATE : 31st JULY, 2023

P.C. :-

1. Applicants apprehend arrest in connection with Crime No. 25 of 2023 registered with Pimpalgaon Police Station, Tal. Pachora, Dist.

Jalgaon for the offences punishable under Sections 120B, 406, 420, 465, 468, 471 of IPC.

2. The manager of Shree Mahasar Mata Rice Mill lodged report with the police stating that in collusion with Dnyaneshwar, driver of Kishor Patkar, the employees of the company have created false receipts and by misusing the same has duped the company for sum of Rs.48,75,000/-.

3. Learned counsel for the applicants states that though there are allegations against Kishor Patkar of receiving the said amount without providing the raw rice for processing to the informant company, while filing charge-sheet he is not made accused. It is submitted that the major allegation was against him for receiving sum of Rs.48,75,000/- and for want of him to be join as accused, the offence is not sustainable against other accused. It is further argued that the applicants herein are labourers and that they had not right for authority for preparation of false record.

4. Learned APP opposed the application by contending that there is evidence against the applicant Manish to show that the co-accused Dnyaneshwar had transferred a sum of Rs.50,000/- on

03/11/2022 in the account of this applicant. As far as the accused Chandansingh is concerned, it is submitted that there are specific allegations against him that he was party to the Whats app chat which indicate that bogus receipts were prepared for the purpose of misappropriation of money. It is contended that for the purpose of ascertaining the manner in which the bogus receipts are prepared by the present applicants and in order to ascertain the money trail the custodial interrogation of the applicants is necessary.

5. Perusal of the first information report clearly shows that the present applicants and co-accused who are employees of the informant company and they created false documents in order to cheat the company. There is specific allegation against applicant Chandansingh that he along with the co-accused has prepared the bogus weighing receipts. The same is the said allegation is supported by the Whats app chats between him and co-accused. As far as applicant Manish is concerned, the statement of witness from Bhausahab Patil shows that on 03/11/2022 accused Dnyaneshwar has transferred sum of Rs. 50,000/- in to the account of this applicant. It is sought to be argued by the learned counsel for the applicants that it was a hand loan transaction but from the record it appears that the co-accused has not only transferred the amount of Rs.50,000/- in the account of this applicant but amounts

were also transferred to the accounts of co-accused. Hence the explanation sought to be given about this being hand loan transaction gets falsified.

6. Prima facie therefore there is sufficient material on record to consider the complicity of the present applicants in this crime. This Court finds substance in the contention of the learned APP that for the purpose of ascertaining as to how bogus receipts were prepared and also to trace the money trail, their custodial interrogation is necessary. Application of Manish and Chandsingh therefore stands rejected.

7. As far as Amitkumar is concerned, except for his name in the first information report there is absolutely no evidence on record to connect him with this crime. Hence application to the extend of this applicant stands allowed in terms of interim order dated 26th June, 2023. He is directed to attend concerned police station once in a fortnight till filing of the charge-sheet.

(R. M. JOSHI, J.)

ssp