

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1713 OF 2022

Vilas Shivaji Khade

.... Applicant

Versus

The State of Maharashtra
and another

.... Respondents

.....

Mr. Amar V. Lavte, Advocate for the Applicant

Mr. V.S. Badakh, APP for Respondents – State

Ms. Sunita G. Sonawane, Advocate for the Informant

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 09th JANUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No. 0182 of 2022 registered with Dindrud Police Station, District Beed for offences punishable under sections 420, 336, 506 read with 34 of the Indian Penal Code.

2. FIR is lodged by Nijam Chand Shaikh alleging that his minor daughter was abducted on 20.06.2022. He, therefore, lodged FIR and Crime No. 92 of 2022 under section 363 of the Indian Penal Code was registered. His daughter was found with one Sachin Tonde, who was arrested. His minor daughter was sent for medical examination. One Akil Sayyed offered his help to the informant and accompanied him to Government

Hospital and before the Child Board. He asked the informant to pay some amount as the same would be required for payment at Government Hospital and Child board. At the instance of Akil, applicant forwarded different amounts to Akil, and on his say in the account of Sunil Vavalkar and Sayyed Farhana Chandpash, and the present applicant. Rs.10,000/- was transferred on PhonePe to the applicant. The Informant, therefore alleged that by extracting total amount of Rs.1,36,500/- cheated him.

3. Heard learned advocate for the applicant/s and learned Additional Public Prosecutor for the State. Perused the papers of the investigation.

4. According to the applicant, he has given hand loan of Rs.10,000/- to the informant, which he had returned. Except the allegation that at the instance of accused Akil, Rs.10,000/- was sent to the applicant, there is no material on record to show involvement of the applicant in the alleged offence. The applicant was granted interim protection and he has attended the concerned police station and co-operated in the investigation. In the facts of the present case, pre-trial custodial detention of the applicant is, therefore, not necessary.

5. In the result, application is allowed by confirming the interim order.

6. Till filing of the charge sheet, the applicant shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane