

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.64 OF 2021

Mahesh Kisan Motewar	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Sumedh Sonawane i/by Mr. Mayank Sharma for
the applicant.

Ms. Veera Shinde, APP for the respondent/State.

VAIBHAV
RAMESH
JADHAV
Digitally signed by
VAIBHAV RAMESH
JADHAV
Date: 2023.07.04
11:54:21 +0530

CORAM : AMIT BORKAR, J.

DATED : JULY 3, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.319 of 2019 registered with Mumbai Naka Police Station, Nashik on 10th December 2016 for offences punishable under sections 406, 409, 34 of the Indian Penal Code, 1860 read with sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In financial Establishment) Act, 1999, the applicant is seeking pre-arrest bail under section 438 of the Criminal Procedure Code, 1973.

2. One Pralhad Donde Hole lodged a report on 10th December 2016, alleging that he and his friend had kept various amounts with the company controlled by the applicant as a deposit at guaranteed interest rate of 12% per annum. Total amount invested was Rs.36,40,645/-.

3. Similar complaints were filed throughout area. Ultimately, charge sheets were filed in the said complaints.
4. The Apex Court in SLP (Crl.) No.7563 of 2018 released the applicant on regular bail in relation to charge sheet No.16 of 2016. In relation to charge sheet No.4 of 2018, the applicant was released in SLP (Crl.) No.1564 of 2019.
5. On perusal of the material on record, it appears that the amount which forms subject matter of first information report No.319 of 2019, forms part of larger amount involved in aforesaid SLPs releasing applicant on regular bail. Apart from said fact, the investigation is complete. Therefore, custodial interrogation of the applicant is not necessary.
6. This Court by order dated 18th January 2021, protected the applicant by interim order. Therefore, the order dated 18th January 2021 is confirmed subject to following conditions:
 - a) The applicant shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;
 - b) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;
 - c) The applicant shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not

change the residence till the final disposal of the case;

7. The anticipatory bail application stands disposed of in above terms.

(AMIT BORKAR, J.)