

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 221 OF 2022**

Nitin Kacharu Katore ... Applicant

Versus

State of Maharashtra ... Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 164 OF 2022

Raosaheb Sukhdeo Katore ... Applicant

Versus

State of Maharashtra ... Respondent

WITH

ANTICIPATORY BAIL APPLICATION NO. 205 OF 2022

Santosh Narayan Thorat ... Applicant

Versus

State of Maharashtra ... Respondent

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Mr. Himanshu Gavit instructed by Mr. P.P. Kalantri for the Applicant in ABA-221-2022.

Mr. Aniket Nikam instructed by Mr. Vivek Arote for the Applicant in ABA-164-2022.

Mr. Aniket Nikam instructed by Mr. Amit Icham for the Applicant in ABA-205-2022.

Mr. Amit Palkar, APP for the State.

PI D.S. Wanjale, Indiranagar Police Station, Nashik alongwith PSI R.D. Ahire, Wadiwarhe Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 23 JANUARY 2023

P.C. :-

. These applications under Section 438 of the Code of Criminal Procedure, 1973 are filed for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 253 of 2021 registered at Indira Nagar Police Station, Nashik for the offence punishable under Sections 420, 465, 468, 471 r/w. 34 of Indian Penal Code.

3. The applicants Nitin Katore, Santosh Thorat and Raosaheb Katore had availed gold loan from ICICI Bank of Rs.7,69,221/-, Rs.7,71,000/- and Rs.8,78,170/- respectively. It is alleged that the Regional Manager of the Bank got suspicious about the genuineness of the gold ornaments pledged by the applicants as for all the three loans valuation report was submitted by one of the same valuer. According to the prosecution, he thus got re-examined the gold ornaments pledged by the applicants from another valuer and he found that gold ornaments were not genuine.

4. I have heard the learned Counsel for the applicants and the learned APP for the State.

5. The learned Counsel for the applicants submits that the applicants have repaid the amount of loan. It is further submitted that pursuant to the interim order passed by this Court, the applicants had

attended the police station and co-operated in the investigation. It is further submitted that the prosecution has filed the charge-sheet and thus there is no need of custodial interrogation of the present applicants.

6. On the other hand, the learned APP for the State submits that the applicants are involved in a serious offence of cheating and fraud. It is further submitted that the applicants Raosaheb Sukhdeo Katore and Santosh Narayan Thorat are involved in one more crime of similar nature. It is submitted that considering the nature of offence, the applicants may not be released on anticipatory bail.

7. It appears that the applicants had repaid the loan amount only after lodging of the report. Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the present applicants. In the result, the following order is passed :

(i) Applications are rejected.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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