



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

ANTICIPATORY BAIL APPLICATION NO. 730 OF 2021

Bharat Chatrabhuj Thakkar & Ors.

..Applicants

v/s.

The State of Maharashtra .

..Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 7302OF 2021**

Amrut Ben Bacchubhai Patel & Anr.

..Applicants

v/s.

The State of Maharashtra .

..Respondents

Dr. Uday Warunjikar a/w. Hiren Mehta i/b. Mukesh Aiya for the
Applicant.

Mr. R.M.Pethe, APP for the State.

**CORAM : ANUJA PRABHUDESSAI , J.
DATED : 18th AUGUST, 2023.**

P.C.

1. The applicants apprehend arrest in Crime No. 118 of 2020 registered with Dindoshi Police Station for offences punishable under Sections 420, 465, 468, 471, 472 r/w. 34 of the Indian Penal Code.

2. Heard Dr. Warunjikar, learned Counsel for the Applicant, and Mr. Pethe, learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the

respective parties .

3. The aforesaid crime was registered pursuant to the FIR lodged by the Rationing Inspector Mr. Sandeep Waman Shelar. The applicants are the ration shop owners and their employees. The first informant has alleged that the applicants herein had misused the Aadhar cards for misappropriating the ration. The records prima facie indicate that in the course of inquiry, the said persons, including Mansoor Abdul Kayam made a statement before the Authority that they have been receiving ration regularly. The statement of Mansoor Abdul Kayam recorded under Section 161 of Cr.P.C. is prima facie inconsistent with the said statement.

4. In view of the said statement, and considering the nature of the accusations, this Court by order dated 22nd March, 2021 had granted interim bail to the applicants. Learned APP states that pursuant to the said order, the applicants have reported to the Investigating Officer and they have been interrogated. It is seen that the crime was registered in the year 2020. Till date investigation is not concluded. The delay in investigation, with no satisfactory explanation, prima facie reveals casual and lackadaisical approach .

5. Considering the above facts and circumstances, in my considered

view, this would be a fit case to exercise discretion under Section 438 of Cr.P.C. Hence, interim bail granted by order dated 22nd March, 2021 stands confirmed.

6. The applicants to report to the Investigating Officer as and when called.

. **Application stands disposed of.**

(ANUJA PRABHUDESSAI, J.)