

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.936 OF 2023

Raju Ramchandra Patil ...Applicant

vs.

The State of Maharashtra ...Respondent

Mr. Gautam Kanchanpurkar, for the Applicant

Mrs. Geeta Mulekar, APP, for the Respondent/State.

CORAM : N. J. JAMADAR, J.

DATE : OCTOBER 04, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 12 of 2023 registered at Mandavi police station for the offences punishable under sections 170 and 420 read with 34 of Indian penal Code, 1860.

3. The gravamen of indictment against the applicant is that the applicant has falsely represented himself to be an advocate and induced the first informant to part with a sum of Rs. 5 lakhs under the pretext of assisting her in prosecution of a litigation in respect of the property bearing survey Nos. 17/1, 17/2 and 72/4, in the Court at Vasai and in this Court.

4. When the matter was listed before this Court on 24th April,

2023, this Court was persuaded to grant interim bail as the applicant had shown willingness to deposit the amount of Rs. 5 lakhs, of which the first informant was allegedly defrauded, before the trial Court.

5. The learned counsel for the applicant submitted that in terms of the said order, the applicant has deposited the amount before the trial Court and has also cooperated with the investigation and appeared before the investigating officer as directed.

6. Having regard to the nature of the accusations, the custodial interrogation of the applicant does not seem to be warranted to facilitate further investigation. The applicant has deposited the amount of Rs. 5 lakhs before the trial Court. In view of the above, I am inclined to make order of interim bail absolute.

7. The order dated 24th April, 2023 is made absolute on the terms and conditions incorporated therein.

8. The amount of Rs. 5 lakhs deposited by the applicant shall abide the final order in the prosecution arising out of C.R. No. 12 of 2023.

9. The applicant shall appear before the investigating officer on every alternate Saturday in between 10 am to 12 noon for a period of two months or till filing of the charge-sheet whichever is earlier.

10. In the meanwhile, the learned Magistrate shall invest the

amount in an interest bearing account.

11. In addition, the applicant shall regularly attend the proceeding before the jurisdictional Court.

Application disposed.

(N. J. JAMADAR, J.)