

SA Pathan

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

ANTICIPATORY BAIL APPLICATION NO.1740 OF 2023

Ashutosh S/o. Vinod Suryavanshi	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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Mr. Umain Pasha Sayyed h/f Mr. K. n. Shermalke, for
the applicant.

Mrs. Rutuja Ambekar, for the Sate-Respondent.

Mr. Shamale, PI, EOW, Nashik.

CORAM : AMIT BORKAR, J.

DATED : JULY 31, 2023

P.C.:

1. Apprehending arrest in connection with C.R. No.61 of 2023 registered with Sarkarwada Police Station, Nashik (Nashik City), for offence punishable under Sections 420, 406 read with 34 of the Indian Penal Code, 1860, the applicant is seeking relief of pre-arrest bail under Section 438 of the Criminal Procedure Code, 1973.

2. According to prosecution, the accused company (Shree Adishakti Fortune Solution LLP) received various amounts from the investors. The informant invested Rs.52,10,000/- based on promise of exponential returns. However, after receiving part amount, balance amount of Rs.46,10,000/- was not repaid to the

informant. The role attributed to the applicant is that, he is erstwhile director of the company and advised the informant to invest in the said company. At this stage of investigation, there is no material on record to indicate that the applicant had received any amount directly from the informant nor from any other investors before resigning from the company. Therefore, the applicant has made out a case for confirmation of ad-interim relief. Hence, following order:

- a) In the event of arrest of the applicant in connection with C.R. No.61 of 2023 registered with Sarkarwada Police Station, Nashik (Nashik City), for offence punishable under Sections 420, 406 read with 34 of the Indian Penal Code, 1860, he be released on bail on furnishing PR. Bond in the amount of Rs.50,000/- with one or two sureties in the like amount;
- b) The applicant shall remain present before the investigating officer on 7th, 9th and 11th August 2023 between 11.00 a.m. to 2.00 p.m. and thereafter, as and when called by the concerned investigating officer;
- c) 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;
- d) 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;
- e) 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;

3. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)