

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

ANTICIPATORY BAIL APPLICATION NO. 3190 OF 2021

Laldhar Shivprasad Chouhan

..Applicant

v/s.

The State of Maharashtra & Anr..

..Respondents

Mr. M. Ramesh for the Applicant.
Mr. S.V.Gavand, APP for the State.
None for the Respondent No.2.

**CORAM : ANUJA PRABHUDESSAI ,J.
DATED : 23rd MARCH, 2023.**

P.C.

1. This is an application under Section 438 Cr.P.C. filed by the aforesaid Applicant apprehending his arrest in C.R.No. I-1116 of 2021 registered with Sangola Police Station, Solapur, for offences under Section 406, 420, 504, 506, r/w. 34 of the Indian Penal Code.

2. Heard learned Counsel for the Applicant, 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 Anna Gorakh Patil. The allegations in the FIR are that the first informant had met the Applicant through one Ishwar Patel for arranging

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loan of Rs.20 Crores for constructing school building. It is stated that the Applicant introduced him to the co-accused who assured to arrange the loan. They entered into Financial Consultancy Service Agreement. The first informant paid Rs.10 lakhs to the co-accused towards service charges, It is stated that the Applicants failed to arrange the loan to refund the amount and that they misappropriated the money paid towards service charges.

4. The records reveal that by Order dated 28.12.2021 this Court had granted interim protection to the Applicant. Learned APP states that the Applicant has co-operated with the investigation. He has been duly interrogated and upon completion of investigation, chargesheet has been filed. Learned APP concedes that the presence of the Applicant is not required for custodial interrogation. Under the circumstances, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in Crime No.C.R.No. I-1116 of 2021 registered with Sangola Police Station, Solapur, the Applicant be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twentyfive Thousand Only) with one or two sureties in the like amount, to the satisfaction of the Investigation Officer.

(ii) The Applicant shall keep the Investigating Officer informed of his

current address and mobile/contact details, and/or change of residence or mobile/contact details from time to time.

(iv) The Applicant shall not interfere with the Complainant and the other witnesses, or tamper with the evidence in any manner.

(ANUJA PRABHUDESSAI, J.)