

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

CRIMINAL BAIL APPLICATION NO. 3531 OF 2022

Sudhir Shankar Mohite

Age : 29 Years, R/at : Mohityanche

Vadgaon, Tal. : Kadegaon, Dist. : Thane.

...Applicant

VS.

The State of Maharashtra

[At the instance of P. I.

Nalasopara Police Station, Thane]

...Respondent

Mr.A.U.Nikam a/w Mr.Aashish Satpute i/b. Mr.Amit Icham –
Advocate for Applicant.

Mr.H.J.Dedia – APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATE : 21st APRIL, 2023

P. C. :-

1. Heard learned Advocate Shri.Nikam for the Applicant and
learned APP Shri.H.J.Dedhia for the Respondent-State.

2. There are several offences registered in the State of
Maharashtra against the Company – Rayat Agro India Pvt. Ltd., in
which present Applicant is the main director. In a similar offence
registered at C.R. No. 621 of 2019 at Islampur Police Station under

Sections 406, 409, 420 read with 34 of Indian Penal Code, 1860 [“IPC”], this Court as per the order dated 21st November, 2022 in Bail Application No. 2971 of 2022 has granted bail to this Applicant. It is contended that the allegations in that offence and the present offence are similar. Learned APP opposed the bail considering the allegations.

3. On the complaint of one customer – Ajit Gangaram Vaze, the present offence at C.R. No. 320 of 2019 is registered at Nalasopara Police Station under Section 420 read with 34 of IPC. Now, charge-sheet is filed for the offences under Sections 420, 406, 409 read with 34 of IPC and under Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 [“MPID Act”]. The Special Judge – Vasai has refused the bail. The Order is on Page No.322.

4. The sum and substance of the allegation is that the name of the Company is Rayat Agro India Pvt. Ltd. Later on, it is changed to Maha Rayat Agro India Pvt. Ltd., Islampur. The Applicant and other directors lured the poultry farmers of getting good returns if they will run the kadaknath hen farming business. They have also entered into agreements. They have accepted various amounts from these

poultry farmers. They believed the applicant and parted away the amount. On some occasions, they were supplied with the hen. There was an assurance that after feeding those chicks, the Company will purchase them and will sell it in market and will give good returns. However, those promises were not fulfilled at the fullest extent and that is why, the complaint is lodged.

5. The statements of the concerned witnesses are examined and charge-sheet is filed. Even though the offence in which the Applicant is granted bail in Bail Application No. 2971 of 2022 is different and with different Police Station, the allegations are none the less similar. So, I am inclined to grant him bail.

6. No purpose will be served by detaining him in jail. It is submitted that due to COVID situation, the entire poultry business has suffered losses and the Company of the Applicant is one amongst them. It is submitted that the Applicant has lost everything including his business. Hence, order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant – Sudhir Shankar Mohite be released on bail in connection with C.R. No. 320 of 2019 registered with Nalasopara Police Station – Thane on

furnishing personal bond and surety bond of Rs.25,000/- with one or more sureties.

(iii) Applicant not to tamper with the Prosecution witnesses.

7. It is made clear that the observations made herein are prima facie, and the trial Court shall decide the case on its own merits, in accordance with the law, uninfluenced by the observations made in this order.

8. Application is disposed of in the aforesaid terms.

9. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]