



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.234 OF 2024

Ramesh S/o Bapurao Kadam

... Applicant

VERSUS

The State of Maharashtra
and another

... Respondents

.....
Mr. N.K. Chaudhari, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 12th MARCH, 2024

ORDER :

1. Applicant apprehends arrest in Crime No.448 of 2023 registered with Ahmedpur Police Station, District Latur for offences punishable under sections 420, 406, 467, 468, 504 read with section 34 of the Indian Penal Code.

2. FIR is lodged by Aamirbi Iliyas Shaikh alleging that Accused No.1 Chandrakala, his husband accused no.2 Ishwar, and her son accused no.3 Sudarshan @ Sonya obtained total amount of Rs.29,10,000/- from various persons of village Hadolti on the pretext of giving them flat, plot, houses from Nandu Kadam, Vijay Kadam and Ramesh Kadam (applicant), builders resident of Babaldara. Bonds were executed when

persons handed over amounts to the accused nos.1 to 3. Bonds were taken by accused nos. 1 to 3 for registration are remained with accused nos. 1 to 3. Informant and other persons who had parted with money were not given properties. When they demanded return of money, accused threatened to kill them.

3. Heard learned advocate for applicant and learned APP for respondents – State. Perused the investigation papers.

4. Applicant is a retired school teacher. He claims to be innocent and that he is falsely implicated in the present crime. He was called by the Investigating Officer and he has attended and co-operated in the investigation.

5. FIR is lodged on 27.10.2023 against (1) Chandrakalabai Bapurao Bhusare, (2) Ishwar Bapurao Bhusare and (3) Sudarshan Ishwar Bhusare. During investigation, in the month of December-2023 i.e. after four months of registration of FIR, statements of two witnesses are recorded, they claimed that they handed over cash amount of Rs.3,80,000/- to applicant in presence of co-accused and others.

6. Material collected during investigation, *prima facie*, does not show involvement of applicant in the present crime. Applicant is a retired teacher. Investigation to the extent of applicant appears to be almost complete, nothing is to be recovered from him. Hence, his pre-trial custodial detention is not necessary.

7. Application is therefore allowed by confirming interim protection granted to applicant on 15.02.2024.

8. Till filing of charge-sheet, applicant shall attend the concerned police station as and when called by the Investigation Officer. Applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE