



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 ANTICIPATORY BAIL APPLICATION NO. 1092 OF 2024

Arjun Manoharrao Hoke

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Sarvesh J. Naik

APP for Respondents: Mr. P.K. Lakhotiya

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CORAM : SHIVKUMAR DIGE, J.
DATED : 5th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No.697 of 2018 registered with Jamkhed Police Station, district Ahmednagar, for the offences punishable under Sections 420, 409, 406, 467, 120-B and 34 of I.P.C. and section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

2. It is the prosecution's case that the applicant is the Secretary of the Parivartan Urban Multi State Co-operative Credit Society Limited Majalgaon. The applicant, directors and employees of the said society lured the informant and other peoples to deposit the money in their society. It is alleged that they assured the informant and other investors of attractive interest rate on the said deposits. It is alleged

that the informant and other investors deposited the amount in the society of the applicant at Jamkhed Branch but they did not return the said amount as promised. Hence, offence under the above referred sections is registered against the applicant and others.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. He never lured the informant or the other investors at Jamkhed. He is Secretary of the said society. The Chairman and other directors of the said society have been released on bail. There are many offences registered against the applicant and the directors of the society in the entire State of Maharashtra. The properties of the applicant have been seized by the concerned authority. The applicant has been released in four offences on anticipatory bail and in six offences the applicant has been released on regular bail. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is the contention of the learned APP that the applicant is Secretary of the said credit society. The applicant assured the informant and other investors in that area to deposit the amount in that credit society with assurance that they will give attractive returns on their investment. On the say of the applicant and other directors,

the informant and other investors deposited the amount but those amounts are not returned to them. The informant and other investors have been cheated by the credit society of which the applicant is Secretary, which shows the involvement of the applicant in the said crime. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he is Secretary of the said credit society in which the informant and other investors deposited the amount. The Chairman of the said credit society has been released on regular bail whereas the other directors have been released on anticipatory bail by the Sessions Court. It appears from the record that the some offences have been registered against the applicant and other directors of the said credit society and in the said offences the applicant has been released on anticipatory bail by this court. The allegations in those F.I.Rs. and the present F.I.R. are the same. The police have seized all documents. The Sections of M.P.I.D. is applied and the properties of the applicant and other directors have been seized. Considering all these facts, the custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with crime No.697 of 2018 registered with Jamkhed Police Station, district Ahmednagar, for the offences punishable under Sections 420, 409, 406, 467, 120-B and 34 of I.P.C. and section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, he be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

(SHIVKUMAR DIGE, J.)

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