



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

71 ANTICIPATORY BAIL APPLICATION NO. 1108 OF 2024

SACHIN ASHOK NIKAM

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Sayyed Tauseef Yaseen

APP for Respondent/State : Mr.S.P. Sonpawale

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 29th July, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No. 536 of 2024 registered with Police Station M.I.D.C., Waluj, for the offences punishable under sections 406 and 420 of the Indian Penal Code (For short, "IPC").
2. It is prosecution's case that the applicant cheated the informant on the ground that he will help him to get work of company and on that ground, the informant had given him Rs.30,000/- for getting the work. It is alleged that after getting the amount of Rs.30,000/-, the applicant did not provide him work.
3. It is contention of the learned counsel for the applicant that the applicant has given an amount of Rs.30,000/- to the informant. Considering the allegations against the applicant, his custodial interrogation is not required, hence requested to allow the application.
4. It is contention of the learned APP, on instructions, that during the pendency of this application, the applicant has transferred the amount of Rs.30,000/- in the bank account of son of the informant. The

learned APP further submitted that the allegations against the applicant are serious and his custodial interrogation is required, hence requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicant are that he took Rs.30,000/- from the informant to provide him work. During pendency of the application, the applicant has transferred Rs.30,000/- in the bank account of son of the informant. Considering allegations against the applicant, 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 FIR No.536 of 2024 registered with Police Station M.I.D.C., Waluj, for the offences punishable under sections 406 and 420 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.15,000/- with one surety of the like amount, on the following conditions :-

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

[SHIVKUMAR DIGE, J.]