



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1380 OF 2024

Madhav Subhash Ogale

VERSUS

The State Of Maharashtra

- Mr. S. S. Deshmukh h/f Mr. N. B. Khandare, Advocate for the Applicant
- Mr. P. K. Lakhotiya, APP for the Respondent/State

CORAM : R.M. JOSHI, J

DATE : OCTOBER 15, 2024

PER COURT :

1. Applicant apprehends arrest in connection with Crime No. 401/2024 registered with Vivekanand Chowk Police Station, Dist. Latur for the offences punishable under Sections 471, 468, 467, 420 read with Section 34 of the Indian Penal Code.

2. First informant claims that his acquaintance Subhash i.e., father of the present Applicant had told him that the Applicant has joined the government service as Talathi. He further told him that if he wants his daughter-in-law to be get into government employment, he will have to spend Rs. 15 lacs. Believing him, a sum of Rs. 7 lacs was paid out of Rs. 15 lacs was paid on 22.07.2022 at MIT College wherein father of the Applicant is working. It is stated that

an appointment order was handed over to the informant, however, later on it was revealed that it was not a genuine appointment order. However, in the meantime, as people came to know about the daughter-in-law of the informant getting government employment, some of them who are named in the FIR approached through the informant to the accused. It is alleged that the Applicant and his father collected Rs. 15 lacs each from all of them on assurance of giving government employment, which was never fructified.

3. Learned Counsel for the Applicant submits that tenor of the FIR indicates that it is the father of the Applicant who seems to have assured the employment to the daughter-in-law of the Informant and not present Applicant. It is his submission that Applicant is medical representative and hence, question of he posing himself Talathi does not arise. It is his further submission that there are allegations against co-accused Rajratan Suryawanshi and it speaks also about transfer of money in the bank account at his instance.

4. Learned APP opposed the Application. It is his contention that not only there are statements of

witnesses which indicate that the Applicant was also present along with his father at the time of assuring Informant and others for government employment, but there are transfers of the amounts in the account of the present Applicant. He has drawn attention of the Court to one of such bank transfer of Rs. 7 lacs transferred between 19.03.2024 – 18.04.2024 into the account of present Applicant bearing no. 04971040031403 of IDBI Bank.

5. This is not the case wherein there are only statements of witnesses which sought to implicate the Applicant in this crime. There is documentary evidence on record in the form of Rs. 7 lacs transferred into the aforestated account of the Applicant from victim. During the course of hearing, an explanation was sought from the Applicant in this regard. No explanation is forthcoming from the Applicant. This evidence is more than sufficient to hold that he is party to the crime in question. As such, his custodial interrogation is necessary. In the result, application stands dismissed.

(R.M. JOSHI, J.)