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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1582 OF 2023

Anand Kumar Ganeshram Madan s/o Ganeshram Madan APPLICANT

VERSUS

The State of Maharashtra RESPONDENT

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Mr. Anjanikumar singh h/f Mr. S.R.Jaiswal, Advocate for applicant
Mr. N. B. Patil, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 20th FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in Crime No.66 of 2019 registered with Loha Police Station, District - Nanded for offence punishable under sections 420, 467, 468, 471 read with 34 of the Indian Penal Code.

2. FIR is lodged by Sandip Kuldipke, Branch Manager of Bank of India, Branch Loha alleging that President of Samta Magasvargiya Vikas Mandal and his colleague deposited forged cheqeus of Rs.1,47,50,000/- and the amount which was deposited in the accounts were withdrawn through cheqeus and RTGS. It is alleged that applicant, along with other accused persons prepared forged and false cheqeus and cheated the

bank as well as to the account holders of the bank.

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

4. Out of four accused persons, accused No.1, 2 and 3 were arrested. It is informed by learned advocate for applicant that accused No.3, who was his business acquaintance, has expired in the year 2021.

5. It is the case of applicant that he only helped accused No. 3 Satyanarayan Sarda and at his instance, permitted amounts to be deposited in his bank account and withdrew the same and handed over it to the Samta Magasvargiya Vikas Mandal, Trust. Some of the amounts were transferred in the bank accounts of either Satyanarayan Sarda or the Trust.

6. It is the case of the prosecution that cheques of Rs.1,47,50,000/- were forged by accused No. 3 Satyanarayan Sarda and present applicant in collusion.

7. Perusal of the investigation papers shows that from time to time, huge amounts are transferred in the account of applicant. Though charge sheet is filed in the present case, it is necessary to investigate as to how the applicant could forge cheques and

deposit them in bank and got them cleared.

8. Investigating Officer has reported that after grant of interim protection, applicant has not attended the police station and has not co-operated in the investigation. One more similar offence is registered against applicant at Crime No. 19 of 2020 with Andheri Police Station.

9. Charge sheet is filed against applicant under section 299 of the Criminal Procedure Code. Considering the seriousness of allegations and totality of circumstances, custody of the applicant is necessary for effective investigation. Hence, the applicant does not deserve discretionary relief of anticipatory bail. Application is, therefore, rejected.

10. At this stage, learned advocate for applicant seeks continuation of interim protection for a period of four weeks. Interim protection to continue for a period of two weeks from the date of uploading of this order.

[NITIN B. SURYAWANSHI]
JUDGE

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