



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2065 OF 2023

Prakash Maroti Paikrao

....Applicant

VERSUS

The State Of Maharashtra

.....Respondent

.....
Mr. P.M. Gaikwad, Advocate for applicant.

Mr. S.P. Sonpawale, APP for State.

.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 15th MARCH, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 349/2023, registered with Vimantal Police Station, Dist. Nanded, for offence punishable under sections 420 and 406 of Indian Penal Code.

2. FIR is lodged by Subhash Bodke alleging that he had paid Rs. 5 Lakhs to applicant, a public servant, to get job in railways. However, applicant failed to give job and also did not return the amount. Hence, he committed cheating and criminal breach of trust.

3. Heard learned advocate for applicant and learned APP for respondent.

Bhagyawant Punde

4. Applicant is a Government servant. He claims that he is innocent and he is falsely implicated in the present crime. Though, he admits that Rs. 55,000/- was transferred online to him, according to him, the same was by way of hand loan. He denies having received cash amount of Rs. 4,45,000/- from informant. On instructions, learned advocate for applicant makes a statement that, so as to show *bonafides*, applicant is ready to deposit amount of Rs. 4,45,000/-, without prejudice to his rights and contentions.

5. Considering the allegations made in the FIR and papers of investigation and the fact that applicant is ready to deposit Rs. 4,45,000/-, pre-trial custodial detention of applicant is not necessary. Hence, the following order

ORDER

- I) Anticipatory Bail Application No. 2065 of 2023 is allowed by confirming interim protection order dated 20.12.2023.
- II) Applicant shall attend the concerned police station on four consecutive second and fourth Saturday and Sunday, between 10.00 am to 12.00 noon and shall co-operate in the investigation.
- III) Applicant shall deposit amount of Rs. 4,45,000/- in the

Trial Court, within four weeks from today and produce receipt of the same, which should be tagged in this matter.

- IV) Until further orders, amount deposited by applicant shall be kept in fixed deposit, to be renewed from time to time.
- V) On failure to deposit the amount, anticipatory bail granted to the applicant shall be cancelled automatically.

[NITIN B. SURYAWANSHI, J.]