IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 3190 OF 2024

Sushant Shivaji Patil … Applicant
vs.
The State of Maharashtra … Respondent

Mr. Ashok Mundargi, Senior Advocate, a/w. Mr. Varun Veepin Thokal for applicant.

Mr. Tanveer G. Khan, APP for respondent-State.

API V. R. Patole, Juna Rajwada Police Station, District Kolhapur.

CORAM : MANISH PITALE, J.
DATE : 02nd DECEMBER, 2024

P.C. :

. Heard learned senior counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with FIR No.0626 of 2024 dated 10.10.2024, registered at Juna Rajwada Police Station, District Kolhapur, for offences under Sections 420, 406 and 506 read with Section 34 of the Indian Penal Code, 1860 (IPC) and Section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999.

3. The informant, in his statement leading to registration of FIR, has stated in detail as to the manner in which the accused persons induced and allured him into parting with substantial amount of money on the false promise of handsome returns. It was when the informant came to know that he had been duped, that he caused the FIR to be registered.

4. At the outset, the learned APP submits that Anticipatory Bail Application No.3132 of 2024 filed by a co-accused person, was dismissed by this Court by order dated 26.11.2024.

5. In that context, the learned senior counsel appearing for the applicant submits that the case of the present applicant is

distinguishable, even on the basis of the allegations made by the informant.

6. It is submitted on behalf of the applicant that the thrust of the allegations levelled in the statement of the informant, leading to registration of FIR, is on the manner in which a firm called V. P. Trading Consultancy, of which the co-accused persons are partners, had duped the informant. The allegation pertaining to inducement and allurement for investing huge amounts, pertained to the said co-accused persons. It is indicated that the applicant himself was an investor and he has received only some amounts as return on investment, emphasizing that the amount allegedly invested by the informant has no concern with the applicant herein, who is a doctor.

7. The learned APP, on the other hand, relied upon the investigation papers and submitted that there is material to indicate direct involvement of the applicant in the present case.

8. This Court has perused the investigation papers. Material so far collected by the investigating authority does show *prima facie* involvement of the applicant in the present case. In fact, in respect of the specific allegation in the statement of informant, pertaining to 09/10.01.2024 about cash amount having been given to the applicant alongwith the co-accused persons, the statement of the person in whose house and in whose presence, huge cash amount of ₹ 1 crore was handed over to the accused, indicates that he has confirmed about such huge amount exchanging hands between the informant and the applicant alongwith other accused persons. This Court is of the opinion that in such circumstances, no case is made out for granting anticipatory bail.

9. The application is dismissed.

(MANISH PITALE, J)

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