

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.2855 OF 2021

Ravindra Chaudhari	..Applicant
Versus	
The State of Maharashtra	..Respondent

Mr. Swaraj Jadhav h/f Vijay Hiremath, for the Applicant.
Mr. B. V. Holmabe Patil, APP for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 21st MARCH, 2024

PC.

1. Heard learned counsel for the parties.
2. Applicant has approached this Court seeking bail in the event of arrest in connection with FIR No.0077 of 2021 registered with Pen Police Station, District Raigad dated 9th May, 2021 for the offence punishable under Sections 420, 406, r/w 34 of IPC.
3. It is the case of the informant that she wanted to start a center imparting education through computer education and she also wanted to be a part of project of one Dhanwantari group run by accused No.1/Anurag Pande. He informed that they run the group giving information about the CSR fund and to utilize the CSR fund. The said fund is received by them for educational institutes. The institute offered her Rs.2000/- per student. It is further alleged that for getting this franchise informant will have to deposit Rs.31,705/-. The informant deposited amount, however, in spite of receiving the

amount, this Applicant did not execute memorandum of understanding. The informant thereafter asked the accused No.1 and informed that the accused/present Applicant No.2 has taken amount towards deposit. The Applicant No.1 stated that no such deposit is taken by the group. The informant therefore filed complaint on receiving such email from Applicant No.1. The other amount of Rs.6,79,800/- was given to accused No.1. The informant thus lodged complaint to the Police Station.

4. Learned advocate argued that this Applicant was only working for the group, namely Dhanwantari run by accused No.1. The amount was taken for the institute and not for himself. He further points out that during the pendency of the Application before the Sessions Court, he has deposited amount of Rs.31,705/- allegedly received by him. The Application was mainly rejected on the ground that the accused No.1 was absconding and it is only this Applicant, who can give whereabouts of the accused No.1.

5. Learned advocate further invited attention to the order passed by this Court dated 4th December, 2021, wherein this Court had granted interim protection by speaking order. He thus prays for continuation of the said relief by allowing the Application.

6. Learned APP vehemently opposes the Application stating that it is only this Applicant who can give information whereabouts of the accused No.1. This Applicant was part of the group. He is involved in *modus-operandi* of the accused No.1. He prays for

rejection of the Application.

7. Considering that the offence is registered long back i.e. on 9th May, 2021 and since the Applicant is already protected by this Court by imposing certain conditions and thereafter there is no complaint of misuse of the liberty, this Court finds that present Application needs to be allowed. Hence, the following order :-

- i) The Application stands allowed.
- ii) In the event of arrest of the Applicant in C.R.77 of 2021 registered with Pen Police Station, District - Raigad for the offences punishable under Section 420, 406, r/w 34 of the Indian Penal Code, the applicant be enlarged on bail on his furnishing PR & SB in the sum of Rs.20,000/- with one or two local surety/sureties in like amount.
- iii) Applicant shall attend concerned Police Station as and when called for.
- iv) Applicant shall neither contact any witnesses nor tamper with the evidence.
- v) Applicant shall furnish his contact details including mobile number to the concerned Police Station. If there is any change in the contact details, Applicant shall immediately inform to the concerned Police Station.

8. The Application stands disposed of.

[KISHORE C. SANT, J.]