

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

ANTICIPATORY BAIL APPLICATION NO. 105 OF 2024

Akshay Suresh More
Versus
State of Maharashtra

..Applicant

..Respondent

Mr. Khushnood Akhtar i/b. Shivaji R. Nirmale for Applicant.
Ms. Sharmila S. Kaushik, APP for State/Respondent.

**CORAM :- SARANG V. KOTWAL, J.
DATE :- 16 JANUARY 2024**

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.158 of 2023, registered at Nagothane Police Station, District Raigad, on 07.12.2023, under Section 420 of the Indian Penal Code.
2. Heard Mr. Khushnood Akhtar, learned counsel for the applicant and Ms. Sharmila Kaushik, learned APP for the State.
3. The F.I.R. is lodged by one Nilesh Doshi. He was in the business of sale and purchase of rice. In the month of November 2023, he received a phone call from an unknown phone number. The said phone number is mentioned in the F.I.R. The caller

wanted rice. He represented to the informant that the payments would be made immediately. The F.I.R. mentions that, on three dates i.e. on 29.11.2023, 30.11.2023 and 01.12.2023 in all 27460 Kg. of rice worth Rs.5,63,000/- was sent by the first informant to the caller who claimed to be associated with Jadhav Rice Mill. The informant got only Rs.20000/- through phone payment. The rest of the amount was lost. On this basis the F.I.R. is lodged.

4. Learned counsel for applicant submitted that the story itself is unbelievable. The informant would not send such huge quantity of rice to an unknown person without any order being placed with him. There are no further indications as to, to whom the rice was delivered.

5. Learned APP, on instructions, could not point out the details about the transportation of that rice, so far. The investigation has not revealed as to who had received the rice. The investigating officer has not even recorded the statements of the drivers of the trucks or anybody associated with loading of the trucks with rice on the three dates. The investigation carried out so far does not directly connect the present applicant with the

offence. Learned APP is seeking time to take further instructions. Therefore, today I am adjourning the matter. However, learned counsel for the applicant has made out a case for grant of ad-interim relief.

6. Hence, the following order.

ORDER

- i) In the event of his arrest in connection with C.R.No.158 of 2023, registered at Nagothane Police Station, District Raigad, till the next date, the Applicant be released on bail on his executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) This order shall operate till 16/02/2024.
- iii) The Applicant shall attend the concerned Police Station from 29/01/2024 to 31/01/2024 between 1.00p.m. to 5.00p.m. and thereafter as and when called. The applicant shall cooperate with the investigation.
- iv) Stand over to 16/02/2024.

(SARANG V. KOTWAL, J.)