

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

ANTICIPATORY BAIL APPLICATION NO.1038 OF 2024

Banti @ Shubham Ankush Gaikwad	 Applicant
versus	
The State of Maharashtra	 Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.903 OF 2024**

Laxman Sidram Jetithor	 Applicant
versus	
The State of Maharashtra	 Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO.1039 OF 2024**

Amol Shrinivas Sarvade	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr. Viresh V. Purwant a/w Suraj Gadkari a/w Fareha Rizvi, Advocate for Applicant.
- Mr. Avinash A. Naik, APP for the State/Respondent in ABA/1038/24 & ABA/1039/2024.
- Ms. Mahalakshmi Ganapathy, APP for the State/Respondent in ABA/903/2024.

CORAM : SARANG V. KOTWAL, J.
DATE : 03rd MAY, 2024

P.C. :

1. In all these applications a common order is passed today because they arise out of the same registered offence.

2. The Applicants are seeking anticipatory bail in connection with C.R.No.326/2023, dated 09/06/2023, registered with Vijapur Naka Police Station, Solapur City, under sections 420, 467, 468, 471 r/w 120-B of the Indian Penal Code.
3. Heard Mr. Rahul B. Vijaymane, learned counsel for the Applicant and Smt. Madhavi H. Mhatre, learned APP for the State.
4. The gist of the FIR is that the first informant Shrishailkumar Hadimani was residing in USA. He wanted to purchase some land in Solapur. The main accused Manoj Godbole extracted Rs.4 Crores from the informant. He had represented to the informant that he was a Nayab Tahsildar and he was aware of many lands which could be purchased by the informant by paying dues of the Government on those lands. It was a false representation. Forged permission bearing Government seals were sent by telephonic messages to the

informant. It was fraudulent. The informant had lost his money. On this basis, the FIR is lodged.

5. The allegations against the present three Applicants are that after his arrest, the main accused Manoj gave statement u/s 27 of the Evidence Act and led the police to their offices and houses. The said accused had told the police that out of the money, which he had received in this offence, he had paid various amounts to these three Applicants.

6. Learned counsel for the Applicants submitted that the main accused Manoj had made a similar statement mentioning the name of one more accused Yallubai Jadhav. However, the investigating agency does not want to arrest her and she was protected by anticipatory bail order. It turned out that there was some different transaction between the said accused Yallubai and Manoj. Thus, there is a reasonable possibility that the main accused Manoj has deliberately implicated all these three accused to settle his personal score.

7. I have considered these submissions. The investigating agency has to be given a reasonable opportunity to make enquiries with the Applicants in this connection. The Applicant Laxman Jetithor was directed to appear before the investigating agency on particular dates. He has so attended. However, considering the nature of the allegations, it is important that all these three Applicants are directed to attend the concerned police station on some particular dates. So that the investigation can proceed effectively. Till the next date, on this condition, the Applicants can be protected.

8. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.326/2023, dated 09/06/2023, registered with Vijapur Naka Police Station, Solapur City, till the next date, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) each, with one or two sureties each, in the like amount.

- (ii) The Applicants shall attend the concerned Police Station 10/06/2024, 11/06/2024 and 12/06/2024 between 01.00 p.m. to 05.00 p.m. and thereafter as and when called and shall cooperate with the investigation.
- (iii) It is made clear that the investigating agency can call these Applicants for interrogation even prior to that.
- (iv) This order shall operate till 27/06/2024.
- (v) Stand over to 27/06/2024.

(SARANG V. KOTWAL, J.)