

Shabnoor

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

ANTICIPATORY BAIL APPLICATION NO.1179 OF 2024

Nagoji Mahadev Bhogan	... Applicant
V/s.	
State of Maharashtra	... Respondent

Mr. Anurag Rajendra Kulkarni, for Applicant.

Mr. V. N. Sagare, APP for State/Respondent.

CORAM : AMIT BORKAR, J.

DATED : MAY 3, 2024

P.C.:

1. Apprehending the arrest in connection with C.R.No.I 217 of 2020 registered with Khalapur police station for the offences punishable under Sections 120-B, 406, 409, 420, 465, 467, 468, 471, 504, 506 of the Indian Penal Code, 1860 (for short “IPC”). The applicant is seeking relief under Section 438 of the Code of Criminal Procedure, 1973 (for short “Cr.PC.”).

2. Prima facie the role attributed to the applicant is that he signed on mortgage deed executed by the accused person in favour of the Cooperative Bank as authorized officer of the Bank. Prima facie on perusal of the mortgage deed, it appears that two persons namely Majnur Rheman and Arvind Rai have signed as witnesses, they were identified the accused person.

3. According to the prosecution, the persons who executed mortgage deed were fictitious. According to the prosecution the role attributed to the applicant is that without verifying identity of the accused persons has signed as authorized officer on behalf of the Bank.

4. Considering the role attributed to the applicant, the applicant has made out a prima facie case for grant of interim protection. Hence, following order:

a) In the event of arrest in connection with C.R.No.I 217 of 2020 registered with Khalapur police station for the offences punishable under Sections 120-B, 406, 409, 420, 465, 467, 468, 471, 504, 506 of IPC, the applicant shall be released on bail on furnishing P.R. bond of Rs.10,000/-, along with one or two sureties in the like amount.

b) The applicant shall co-operate with investigation, and he shall remain present before the concerned police station as and when called by the investigating officer.

c) The applicant shall not directly or indirectly make any inducement, threat, or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

e) The applicant shall, at the time of execution of the

bond, furnish his address and mobile number to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.

5. Stand over to 21 June 2024.

(AMIT BORKAR, J.)