

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1563 OF 2024

Ganesh Kundlik Bhapkar

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Nitin Gaware Patil a/w Mr. Shubham Wadne, for Applicant.
- Mr. Sagar R. Agarkar, APP for Respondent.

CORAM : MANISH PITALE, J.

DATE : 04th July, 2024.

P. C. :

1. Heard Mr. Nitin Gaware Patil, learned counsel for the applicant and Mr. Sagar R. Agarkar, learned APP for the State.

2. The applicant apprehends arrest in connection with FIR dated 30th October, 2023, for offences under Sections 406 and 420 of the Indian Penal Code (IPC).

3. This is the first date of listing of the present application. Considering the material brought to the notice of this Court, this Court is inclined to grant interim protection to the applicant, while keeping the present application pending.

4. The reasons why interim order deserves to be passed in favour of the applicant, are as follows :

SHRIKANT
SHRINIVAS
MALANI

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SHRIKANT
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Date: 2024.07.04
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- (A) The FIR itself records that the offences occurred between 11th March, 2020 and 11th October, 2020, while the informant approached the police after about 3 years on 30th October, 2023, when the offences were registered.
 - (B) The statement of the informant leading to registration of the FIR shows that even according to the informant, the last occasion on which the cheque was issued by the applicant for return of the amount was 05th December, 2022 and the cheque was dishonoured. Yet, the informant appears to have waited till October, 2023, to approach the police.
 - (C) The applicant has placed on record bank account statements to show that part of the amount received from the informant was indeed transferred to the Finance Company, which was to advance loan to the informant.
5. In view of the aforesaid reasons, following interim order is passed.
- (A) Till the next date of listing, in the event the applicant is arrested in connection with FIR No.0564 of 2023, dated 30th October, 2023, registered at Police Station Jodbhavi Peth Police Station, Solapur, he shall be released on bail, on furnishing PR Bond of ₹ 50,000/- and one or two sureties

in the like amount.

(B) The applicant shall remain present before the Investigating Officer on 06th July, 2024 and 08th July, 2024 at 10.00 a.m. and 12.00 noon and thereafter as and when called by the Investigating Officer.

(C) The applicant shall cooperate with the investigation and provide the documents demanded by the Investigating Officer.

(D) The applicant shall not tamper with the evidence in any manner. He shall not influence the informant, witnesses or any other persons concerned with the case.

6. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

7. List the application for further consideration on **30th July, 2024, “High on Board.”**

(MANISH PITALE, J.)