

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

ANTICIPATORY BAIL APPLICATION NO.2115 OF 2024

Nutan Shekhar Sutar Applicant

versus

The State of Maharashtra Respondent

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- Mr. Sanjeev Kadam i/b. Vishal Patil, Advocate for Applicant.
- Mr. Vinit A. Kulkarni, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 08th AUGUST, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.289/2023 dated 30/11/2023, registered with Jawhar Police Station, Palghar, under sections 420, 464, 465, 467, 468, 471, 472, 474 r/w 34 of the Indian Penal Code.
2. Heard Mr. Sanjeev Kadam, learned counsel for the Applicant and Mr. Vinit A. Kulkarni, learned APP for the State.
3. The FIR is lodged by one Yogesh Patil, who was the Regional Manager, Jawhar, working with Maharashtra Rajya

Sahakari Adivasi Vikas Mahamandal Maryadit. The main office of the said Mahamandal is at Nashik and the Regional office is at Jawhar. The FIR mentions that the Government had implemented a scheme for purchasing rice from the farmers at the minimum assured price. Thereafter, the rice was to be given to the rice mill owners for cleaning. For that purpose the rice mill owners were required to furnish the bank guarantees of a Nationalized or Scheduled Bank. The bank guarantee was required to be valid till the final accounts were completed. The Regional Office was entrusted with that duty to verify the authenticity of the bank guarantees. The FIR mentions names of two rice mill owners namely Sopan Sambre and the present Applicant. As far as the present Applicant is concerned, there are allegations that she furnished bank guarantee of Rs.1.04 Crores. It was found that those bank guarantees were forged and that fact was confirmed by the State Bank of India. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the other rice mill owner Sopan was arrested and was released on

bail. He submitted that the Applicant is a lady. She is not controlling the business of the rice mills which are mentioned in the FIR against her name. He submitted that though on the paper she is shown as an owner, the actual business is not conducted by her and therefore being a lady her Anticipatory Bail Application be considered sympathetically.

5. Learned APP seeks time to take instructions to answer these submissions. At this request, today I am adjourning the matter. Based on the submissions made by the learned counsel for the Applicant, only till next date the Applicant can be protected by way of ad-interim relief. It is made clear that consideration of the merits of the matter is left open.

6. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No.289/2023 dated 30/11/2023, registered with Jawhar Police Station, Palghar, till the next

date, the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- (iii) This order shall operate till 12/09/2024.
- (iv) Stand over to 12/09/2024.

(SARANG V. KOTWAL, J.)