IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2255 OF 2024

Mahesh Jivanrao Kokane ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

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- Mr. Amol B. Jagtap a/w Mr. Siddharth bane and Mr. Praveen Gore, for Applicant.
- Ms. Rutuja A. Ambekar, APP for Respondent.

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CORAM : MANISH PITALE, J.

DATE : 01st OCTOBER, 2024.

P. C. :

1. Heard, Mr. Jagtap, learned counsel for the applicant and Ms. Ambekar, learned APP for the respondent-State.

2. By order dated 30.08.2024, this Court directed the informant to be added as respondent and notice to be served through the Investigating Officer.

3. Interim relief was granted in favour of the applicant. It is reported that he did appear before the Investigating Officer and cooperated with the investigation.

4. The complainant is present in Court. In the order dated 30.08.2024, this Court had also recorded the statement made on behalf of the applicant that he was ready to pay an amount of ₹ 29,500/- said to have been

transferred to him by the informant.

5. Today the applicant as well as the informant are present in Court. The applicant is ready to hand over the aforesaid amount of ₹ 29,500/- to the informant, who is ready to accept the same. In fact, the aforesaid amount in cash has been handed over to the informant, who has accepted the same.

6. While granting interim relief, this Court in the order dated 30.08.2024, had observed as follows :

> *"6. This Court is inclined to grant interim relief to the applicant, considering the document at Exhibit 'C', is an Identify Card showing the applicant as technical support staff of the said company. Prima facie, the allegation regarding inducement in the statement of the informant, appears to be an omnibus statement involving the applicant with others associated with the said company. The allegations pertaining to huge amounts being deposited pertain to co-accused persons and a specific allegation is only made about transferring ₹ 29,500/- to the applicant through PhonePe. As noted herein above, the applicant is ready to pay the said amount to the informant. Attention of this Court is invited to an affidavit dated 1st April 2024, purportedly sworn by the informant before the Tehsildar, indicating that he had caused the Fir to be registered under a misconception."*

7. The material on record does *prima facie* indicate that the

applicant appears to have been working as a technical support staff with the company in question. The allegation against the applicant appears to be of on *omnibus* nature, due to his association with the said company.

8. In the light of the reasons recorded in the above quoted paragraph No.6 of the order dated 30.08.2024, coupled with the fact that the applicant has today handed over the entire amount of ₹ 29,500/- transferred by the informant to him, this Court is inclined to confirm the interim order and to allow the application.

9. In view of the above, the interim order dated 30.08.2024 is confirmed and the application is allowed.

10. The applicant shall continue to cooperate with the investigation. He shall not tamper with the evidence in any manner and he shall not influence the informant, witnesses and other persons concerned with the case.

(MANISH PITALE, J.)