

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2504 OF 2024**

Bhanudas s/o. Santu Wagh ... Applicant

vs.

The State of Maharashtra and another ... Respondents

Mr. Aashish T. Jadhavar for applicant.

Ms. Rutuja Anil Ambekar, APP for respondent No.1-State.

CORAM : MANISH PITALE, J.

DATE : 03rd DECEMBER, 2024

P.C. :

. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. By order dated 26.09.2024, this Court granted interim relief in favour of the applicant, by observing as follows:

- “6. In the present case, this Court finds that, other than the named accused person apprehended on the spot with the counterfeit currency, stating that his companion, who fled away from the spot was the applicant, there is hardly any material to link the applicant with the incident in question. The equipments allegedly used in preparing counterfeit currency is already recovered from co-accused persons. All the co-accused persons were granted regular bail by the Sessions Court.
7. The learned APP has tendered the statement of the co-accused Nandkumar Murkute, from whose possession electronic equipment is said to have been recovered. His statement also names only the other two co-accused persons and there is no reference to the name of the applicant. This is an additional factor in favour of the applicant.
8. This Court is informed that recently charge-sheet has been filed in the present case. It would be appropriate that the charge-sheet is produced before this Court on the next date of hearing, for this Court to analysis and understand as to what role is attributed to the applicant by the

Investigating Authority in the facts and circumstances of the present case. Till such time, the applicant has made out a case for granting interim relief.”

3. While granting interim relief, this Court specifically directed the applicant to remain present before the investigating officer on 30.09.2024 and 01.10.2024. Although the learned APP states that the applicant did not abide by the said direction, the learned counsel for the applicant produced a diary with sign and seal of the concerned officer of police station, confirming the fact that the applicant indeed appeared before the investigating officer, as per the direction of this Court.

4. The above-quoted observation made in the interim order shows that the applicant has made out a *prima facie* case in his favour. Since he had appeared before the investigating officer and further undertakes to co-operate with the investigation, the application deserves to be allowed.

5. In view of the above, the interim order dated 26.09.2024 is made absolute and the application is allowed, subject to the applicant continuing to co-operate with the investigation, including remaining present before the investigating officer, as and when called.

6. The applicant shall not tamper with the evidence of the prosecution in any manner. He shall also not influence the informant, witnesses and other persons concerned with the case.

(MANISH PITALE, J)