

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

ANTICIPATORY BAIL APPLICATION NO. 2637 OF 2024

Shakil Haji Makbul Sayyad ... Applicant
Versus
The State of Maharashtra ... Respondent

**WITH
INTERIM APPLICATION NO. 3938 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO. 2637 OF 2024**

Sanjay Bajirao Salunkhe ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Rupesh A. Zade for the Applicant.
Mr. Tanveer Khan, APP for Respondent-State.
Mr. Siddharth Karpe for the Applicant IA/3938/2024.
Ms. M. Bhimrao Dubule, S.P., CID, Kolhapur Range.

**CORAM: MANISH PITALE, J.
DATE : 30th SEPTEMBER 2024**

P.C. :

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

2. The applicant is apprehending arrest in connection with FIR No. 0214 of 2024 dated 16th July 2024 registered at Wai Police Station, Satara, for offences under Sections 405, 409, 420, 467, 468, 471 and 120-B read with 34 of the Indian Penal Code, 1860 (IPC).

3. At the outset, the learned counsel for the applicant informs this Court that a co-accused person i.e. Vivek Vijay Pandit was granted interim protection by this Court by order dated 26th September 2024 and his application is now listed on 22nd October 2024 for further consideration.

4. In paragraph 6 of the order dated 26th September 2024 passed in Anticipatory Bail Application No. 2608 of 2024 (*Vivek Vijay Pandit v/s. State of Maharashtra*), this Court has recorded reasons, as to why interim protection was granted to the said applicant (co-accused).

5. A perusal of the same shows that this Court granted interim protection to the said co-accused person, despite the fact that an amount of Rs.17 lakhs was transferred by the main accused-Hanumant Munde into the account of the said co-accused person. One of the factors taken into consideration by this Court was that the specific allegation of inducement in the FIR is against the said main accused-Hanumant Munde and one Shrikant Kolhapure.

6. In the present application, it is pointed out even as per the Investigating Authority, the meager amount of Rs.10,000/- was said to have been transferred in favour of the applicant herein. The FIR does not show any specific allegation of inducement on the part of the applicant to the aggrieved persons for issuance of a liquor license (FL-II CL-III). The Sessions Court proceeded to hold against the applicant on the ground that he had sent a copy of a

FL-II CL-III wine shop license to one Sanjay Salunkhe, who had initially approached the Police with a grievance against the accused person and a reference is also made to the alleged role of the applicant in showing a wine shop to the other aggrieved person i.e. Hemant Salvi, by name Swastik Shop, assuring that the license of the said shop would be provided to the aforesaid Hemant Salvi.

7. This Court is of the opinion that investigation papers will have to be perused in detail to understand as to how the allegation of inducement applies to the applicant before this Court. Till such time, this Court is of the opinion that transfer of merely an amount of Rs.10,000/- by the main accused to the applicant, *prima facie* cannot be a ground to show his direct involvement in the instant case.

8. In any case, the applicant has undertaken to cooperate with the investigation.

9. In view of the above, the following interim order is passed :

(a) Till the next date, in the event the applicant is arrested in connection with FIR No.0214 of 2024 dated 16th July 2024 registered at Wai Police Station, Satara, he shall be released on bail on furnishing PR Bond of Rs.50,000/- and one or two sureties in the like amount to the satisfaction of the trial Court.

(b) The applicant shall remain present before the S.P., CID,

Kolhapur Range, on 3rd and 4th October 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the said Officer.

- (c) The applicant shall not tamper with the evidence of the prosecution in any manner and shall not influence the informant, witnesses and other persons concerned with the case. He shall cooperate with the investigation, including producing the documents in his possession, as may be demanded by the Officer.

10. In the event, the applicant violates any of the aforesaid conditions, the order passed today would be recalled.

11. List this application for further consideration on 22nd October 2024, to be included in the supplementary list and to be tagged along with Anticipatory Bail Application No.2608 of 2024.

MANISH PITALE, J.