

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3077 OF 2024

Chandrakant Dhondiba Dhebe ... Applicant
Vs.
State of Maharashtra ... Respondent

WITH
ANTICIPATORY BAIL APPLICATION NO.3078 OF 2024

Mahadeo Mukund Gore ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Dinesh Chandrarao Patankar for Applicants.
Ms. Rutuja A. Ambekar, APP for Respondent-State.

CORAM : MANISH PITALE, J.
DATE : NOVEMBER 19, 2024

P.C. :

. Heard Mr. Patankar, learned counsel appearing for the applicants and Ms.Ambekar, learned APP appearing for the respondent-State.

2. These applications are filed as the applicants apprehend arrest in connection with FIR No.0134 of 2024 dated 07.09.2024 registered with Mahabaleshwar Police Station, District - Satara, for offences under Sections 3, 5, 115(2), 351(2), 351(3), 352 of Bhartiya Nyaya Sanhita, 2023 (BNS), as also under Sections 39 and 45 of the Maharashtra Money-Lending (Regulation) Act, 2014.

3. It is brought to the notice of this Court that except offence under Section 39 of the Maharashtra Money-Lending (Regulation) Act, 2014 (Money-Lending Act), the other offences are bailable.

4. The learned counsel for the applicants submits that the statement of the informant leading to registration of the FIR simply makes

allegations against the applicants. There is nothing to show that the applicants have indeed indulged in the activities alleged against them. It is sought to be indicated that there was a transaction contemplated between the informant and the applicants with regard to sale and purchase of a piece of land and in that backdrop, the aforesaid allegations have been made.

5. The learned APP, on the other hand, opposes the application, submitting that the statement of the informant itself makes out the ingredients of the offences registered against the applicants, including the offence under Section 39 of the Money-Lending Act.

6. This Court has considered the rival submissions. A perusal of the statement of the informant, leading to registration of the FIR, shows that the informant has given the details of chronology of events, which led to registration of the FIR. Specific allegations have been made against the applicants, particularly applicant - Chandrakant Dhebe, as to the manner in which the amount was advanced to the informant and thereafter, huge recoveries were made on the pretext of charging exorbitant interest over the amount advanced. The allegations include payments made towards interest in the account of the accused persons through *Google Pay* and other such modes. Therefore, the ingredients of the offences, particularly the offence under Section 39 of the Money-Lending Act are *prima facie* made out.

7. There is no material placed on record in support of the contention that the allegations have been made in the backdrop of a transaction regarding immovable property contemplated between the informant and the accused persons. No case is made out for granting anticipatory bail. The applications are dismissed.

(MANISH PITALE, J.)