



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 360 OF 2024

Mohamad Imran Mohamad Yunus and another. Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Salil Gaidhane, counsel h/f Mr. Z.Z. Haq, counsel for the applicants.
Mr. A.G. Mate, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/07/2024.

1. Apprehending the arrest at the hands of police in connection with Crime No.335/2024 registered with Police Station Khadan, Akola, District Akola for the offence punishable under Section 406 of the Indian Penal Code, the applicants approached to this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicants who submitted that as per the allegation in the FIR which is lodged by Manoj Uddhavrao Bobde who is the Project Manager of Basant Agrotech (India) Limited who alleged that the company owns some vehicles and the said vehicles are always sent to fill up the fuel at the petrol pump, wherein the co-accused Pranav Ravindra Shinde is working. It is alleged that though he has paid the outstanding amount towards the fuel but the co-accused has misappropriated the said amount and duped the company. On the basis of said report, police have registered the crime. As far as the present applicants is concerned, whose name is not mentioned in the

FIR. Merely, on the basis of the statement of the co-accused, they are implicated subsequently, as far as their role is concerned, which is not specifically assigned in the recitals of the FIR. During the investigation, the statements of the various witnesses are also recorded, wherein also, the allegations are made against the co-accused.

3. He submitted that considering the role of the present applicants, his custodial interrogation is not required and therefore, they be protected by granting anticipatory bail

4. Learned APP strongly opposed the said application and submitted that the custodial interrogation of applicants is required to recover the amount and therefore, application deserves to be rejected.

5. After hearing learned counsel for the applicants and learned APP for the State, perused the investigation papers and various statements recorded during the investigation, wherein the allegation of misappropriation is against the co-accused. As far as the present applicants are concerned, their names appears to be there, on the basis of the statement of the co-accused. Thus, considering the various statement recorded by the investigating officer, no specific role attributed to the present applicants. In view of that, interim protection granted to the present applicants deserves to be confirmed. Accordingly, I proceed to pass the following order:

- a) The interim protection granted to the present applicants by order dated 24/05/2024 is confirmed with similar terms and conditions.
- b) The criminal application is disposed of.

[URMILA JOSHI-PHALKE, J.]