



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

CRIMINAL APPLICATION (ABA) NO.451 OF 2024

Jai @ Anil Raghunathji Parchand

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Hudkeshwar, Nagpur City, District Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. R. Ingole, Advocate for applicant.

Ms. H. N. Prabhu, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 15/07/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.243/2024, registered with Police Station, Hudkeshwar, District Nagpur for the offence punishable Section 420 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The learned Counsel for the applicant submitted that, as per the allegation, the applicant has promised the informant that he will provide him Job, if he paid the amount of Rs.4 Lakhs, and accepted the said amount. In fact, no such company by the name Viradhya Infratech Private Limited is in existence. It is alleged that, the applicant has issued the appointment order in the name of the said Company. He submitted that as far as the

compliance of the order of this Court is concerned, the Investigating Officer has issued a notice under Section 41A of Cr.P.C. It is sufficient to show that the custodial interrogation of the present applicant is not required. In view of that, he be protected by granting anticipatory bail.

3. The learned APP strongly opposed the said application on the ground that the custodial interrogation of the present applicant is required and therefore, the application deserves to be rejected.

4. Heard learned Counsel for the applicant and learned APP for the State, perused the investigation papers from which it reveals that the allegation against the present applicant is that he has obtained the amount from the complainant for providing him job. During the investigation, it further reveals that some amount is transferred from the account of the present applicant to the other co-accused. As far as the purpose of the custodial interrogation is concerned, from the notice under Section 41A of Cr.P.C. it reveals that the Investigating Officer has not narrated the grounds for which the custodial interrogation of the present applicant is required. The issuance of notice under Section 41A of Cr.P.C. itself is sufficient to show that the custodial interrogation of the present applicant is not required, in view of that, the application for grant of

anticipatory bail deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, the applicant **Jai @ Anil Raghunathji Parchand** shall be released on anticipatory bail, in connection with Crime No.243/2024, registered with Police Station, Hudkeshwar, District Nagpur for the offence punishable Section 420 read with Section 34 of the Indian Penal Code, on executing PR bond in the sum of Rs.25,000/- with one solvent surety of the like amount.
- (iii) The applicant shall attend the concerned Police Station once in a week on Sunday between 10.00 a.m. to 1.00 p.m. and shall co-operate with the investigating agency.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)