



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

CRIMINAL APPLICATION (BA) NO. 377 OF 2024

Ankush Rajendra Meshram V/s 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. P.V. Navlani, counsel for the Applicant.

Mr. H.D. Phutane, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/05/2024.

1. The applicant came to be arrested on 23/02/2024 in connection with Crime No. 127/2024 registered with Police Station Frezarpura, District Amravati for the offence punishable under Sections 324, 342, 364, 395, 397, 506(2) of the Indian Penal Code, 1860.

2. Mr. P.V. Navlani, learned counsel for the applicant submitted that as per the allegation in the FIR, the informant who is a Senior Clerk at Panchayat Samiti, Amravati, and prior to that he was working in the Education Department got acquaintance with the present applicant and the other co-accused. Eight months prior to the lodging of the FIR, the co-accused had informed him that one vacancy for the post of Lecturer at Biyani College is available, and if somebody is interested, he should be contacted. It is also alleged that the informant met with the co-accused 15 days before the alleged incident, whereupon the co-accused informed him that one post of

Lecturer is vacant at Biyani College, Amravati, and the co-accused namely Atul Dnyandev Puri and Prashant Rathi who is the Director would help them in getting the job.

3. It is further alleged that one Clerk namely Mahalle approached the co-accused and informed him that his wife is interested for the said vacancy. Pursuant to that, the informant had a meeting with the other co-accused namely Shyam Kumbithop, one Mahalle and the Rathi, at the relevant time, the amount of Rs. 15,00,000/- was paid to the said Rathi and the rest amount was agreed to be paid. At that time, the amount of Rs. 15,00,000/- was agreed to be paid to the said Rathi, and out of that Rs. 10,00,000/- was already paid. The informant and one Shyam Kumbithop was paid Rs. 10,000/- each by the co-accused Rathi. After a few days, during the investigation, the involvement of the present applicant is also revealed. It is alleged that present applicant is also part of the conspiracy. The incident when the informant was threatened, assaulted and abducted by the co-accused. On the basis of the said report, police have registered the crime.

4. Learned counsel for the applicant further submitted that as far as the role of the present applicant is concerned, his name is not mentioned in the FIR. The other co-accused against whom the serious allegations are levelled are already released on bail. Even this Court has released one Atul Dnyandev Puri on bail, who has obtained the amount from the informant. He submitted that now investigation is already completed and charge-sheet is yet

to be filed, as the Division Bench of this Court has granted the stay. He submitted that considering the same, further custodial interrogation of the present applicant is not required. In view of that, he be released on bail.

5. Learned APP strongly opposed the said application on the ground that considering the serious allegation against the present applicant and the co-accused that it was the co-accused who was also part of the conspiracy as well as abducting and threatening the informant. Thus, considering the prima-facie material collected during the investigation against the present applicant, the bail application deserves to be rejected.

6. After hearing learned counsel for the applicant and learned APP for the State, perused the entire investigation papers. From which, it reveals that as far as the FIR is concerned, the name of the present applicant is not mentioned. During the investigation, the investigating officer has recorded various statements of the witnesses and the name of the present applicant is revealed. As far as the role of the present applicant is concerned, general allegations are made against him. Considering now, the other co-accused i.e. accused namely Atul Dnyandev Puri who has obtained the amount from the informant is already released on bail. The present applicant is at a higher pedestal against whom, the gravity of the allegations is the lessor one. In view of that, the application of the applicant deserves to be allowed. Accordingly, I proceed to pass the following order.

- a) The application is allowed.
- b) The applicant – **Ankush Rajendra Mershrum** shall be released on bail in connection with Crime No. 127/2024 registered with Police Station Frezarpura, District Amravati for the offences punishable under Sections 324, 342, 364, 395, 397, 506(2) of the Indian Penal Code, 1860, on executing P.R. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station once in a month on first of every month between 10.00 a.m. to 1.00 p.m. and the Investigating Officer shall record his presence till filing of the charge-sheet.
- d) The applicant shall not induce, threat or promise any witness who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[**URMILA JOSHI-PHALKE, J.**]