



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 ANTICIPATORY BAIL APPLN NO. 371 OF 2025

SUNIL MURLIDHAR GUND

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicant : Mr.Amol S. Gandhi
APP for Respondent-State : Mr.S.P.Sonpawale

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CORAM : ARUN R. PEDNEKER, J.

DATE : 26.03.2025

P.C. :

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

2] The applicant is apprehending arrest in connection with FIR No. 0761/2024, registered with Shevgaon Police Station, Shevgaon, District Ahmednagar, for the offence punishable under Section 420, 406, 409 of the IPC.

3] The allegation against the present applicant is that the applicant has taken Rs. 9 lacs from the informant by giving promise that he would give 12% interest on the said amount. However, the money is not invested, neither the applicant has paid the said amount to the informant. As such, the present FIR is lodged against the applicant.

4] The learned counsel for the applicant submits that amount of Rs.2,48,000/- is given by the informant to the applicant by cheque, but it is erroneously stated that an amount of Rs.6,52,000/- is given by the informant to the applicant by cash. He further submits that the applicant has taken hand loan of Rs.2,48,000/- from the informant as he is doing business of money lending and the applicant had paid the amount of Rs.4,47,000/- to the informant from his personal account and the account of his son and wife and the applicant has receipts to that effect, which is at Page No.23 of the application. He further submits that there is no evidence on record that the informant has given Rs.6,52,000/- to the applicant by cash.

5] The learned APP submits that there are no antecedents against the present applicant. He further submits that the informant has given Rs.6,52,000/- by cash to the applicant.

6] *Prima facie*, there is no evidence to show that the informant has paid Rs.6,52,000/- by cash to the applicant and this Court cannot rely on the mere statement of the informant and thus the applicant is granted anticipatory bail in the following terms :

i] In the event the applicant is arrested in connection with FIR No. 0761/2024, registered with Shevgaon Police Station, Shevgaon, District Ahmednagar, for the offence punishable under Section 420, 406, 409 of the IPC, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the concerned police station on 29.03.2025 and 30.03.2025 between 10.30 a.m. and 1.30 p.m. and thereafter as and when called by the investigating officer.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC