



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

64 ANTICIPATORY BAIL APPLICATION NO. 1684 OF 2024

HANUMAN PRALHAD KAMAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Mukul S. Kulkarni

APP for Respondent/State: Mr. S. P. Sonpawale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24.03.2025

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 Crime No.0371/2024, registered at Chandanzira Police Station, District Jalna, for the offences punishable under Section 408 of the Indian Penal Code.

3] This court by order dated 07.10.2024 granted interim protection to the applicant noting the submissions of the applicant at paragraph No.3, as under

“3. Learned counsel for applicant submits that, prima facie, on the basis of the documents on record, it can be said that the applicant was not in the employment of the informant since August, 2023. It is his submission that, allegation in the first information report about the amount more than 10,00,000/-

being paid in cash by Shri. Nandkishor Agrawal payable to the informant and received by the applicant, is not believable. It is his submission that, since the applicant has refused to oblige the informant to make favourable statement to the authorities with regard to the establishment of the informant, the first information report is came to be lodged. It is his submission that, on the perusal of the order of the rejection of the anticipatory bail application shows that, except for the alleged recovery, there is no reason assigned.”

4] The learned counsel for the applicant submits that thereafter the applicant has cooperated with the investigation and the investigation is completed and the charge sheet is filed in the matter.

5] The learned APP points out that Rs.10,89,282/- handed over to the applicant by the customer has not been deposited. The chargesheet in this case is filed. One year prior to the FIR, when the applicant was asked to collect the amount from one of the customer of the company, it was later on revealed that the money is already collected by the applicant, however, it was stated by the customer that the same is delivered by cash and there is no receipt of the same. This gives rise to the doubts as to whether the alleged amounts were paid to the present applicant. Moreover, he has also resigned in August-2023 and the FIR is registered on 30.08.2024.

6] Considering all these aspects of the matter, the interim protection granted by order dated 07.10.2024 can be confirmed.

7] In view of the above, the interim protection granted by order dated 07.10.2024 stands confirmed, on the following terms:

i] 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.

ii] The applicant shall co-operate in the proceedings before the trial Court.

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

9] 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.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE