



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
BAIL APPLICATION NO.1988 OF 2024**

Amol Shankarrao More,

Age: 42 years, Occu: Private Service,

R/o: Savargaon, Taluka Kallam,

District Osmanabad.

..Applicant

Versus

State of Maharashtra,

Police Station Officer,

Georai Police Station, Taluka Georai,

District Beed.

..Respondent

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Mr. S. S. Bora, Advocate for the Applicant.

Mr. V. S. Badakh, APP for Respondent-State.

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CORAM : S. G. CHAPALGAONKAR, J.

RESERVED ON : 10th JANUARY, 2025.

PRONOUNCED ON : 17th JANUARY, 2025.

ORDER:-

1. The applicant seeks regular bail in connection with Crime No.391/2023 registered with Georai Police Station, Dist. Beed for the offences punishable under Sections 406, 409, 420, 120-B of the Indian Penal Code read with Sections 3 and 4 of the M.P.I.D. Act.

2. Mr. Mahesh Makal lodged report to the police station alleging that he was acquainted with Dr. Vasant Dabhade-accused no.2. He visited house of informant in the month of April alongwith accused Ajit Kale, Chairman of Shrimanttyogi Urban Nidhi Limited, Georai. Dr. Vasant Dabhade told that Ajit Kale is influential person and helped many to secure Government job. The informant was lured to pay amount of Rs.18,00,000/- to accused

Ajit Kale for securing employment for the informant's wife in the Health Department. However, under the pretext of Covid situation and stoppage of recruitment by Government, inability was shown to provide employment as agreed. In lieu of amount that was advanced by the informant, some cheques were issued, which were ultimately dishonoured. The informant approached police station and lodged report against accused persons. Many other victims of fraud by the accused persons had approached the police station. It was revealed that amount of Rs.90,00,000/- has been received by accused from the victims. The informant is duped of the amount of Rs.13,00,000/- by accused persons in connivance with each other.

3. Consequently, Crime No.391/2023 has been registered. On completion of investigation, charge-sheet no.300/2023 has been filed in Special Court. The applicant has been arrested on 24.09.2024 and he was remanded to Magisterial custody. The applicant moved for grant of regular bail. However, learned Special Judge rejected his plea vide order dated 15.10.2024.

4. Mr. Bora, learned Advocate appearing for the applicant submits that applicant has been falsely implicated in aforesaid crime. He is behind bar for more than three months. The accused persons against whom similar role is attributed have been already enlarged on bail. The Trial may take its own time. Further detention of the applicant would not be necessary.

5. The learned APP strongly opposes prayer contending that evidence on record clearly depicts active role of the applicant in commission of crime. He was absconding after registration of offence

6. The FIR and charge-sheet depicts that main allegations are against accused Ajit Kale that under the pretext of providing Government employment, huge amounts have been extracted from the victims. The role of the applicant is shown that he is one of the Director of Shrimantiyogi Urban Nidhi Limited and real cousin brother of the main accused. Further, he had issued certain cheques to informant and other depositors towards refund of amount. As such, his active role in commission of offence has been alleged. It is further case of the prosecution that applicant was absconding since the date of registration of crime and has been recently arrested. Therefore, possibility of fleeing away cannot be ruled out.

7. The nature of allegations nowhere suggests that applicant was involved in extracting amount from the victims under the pretext of providing Government employment. The role of the applicant is only that he had issued cheques towards refund of amount and those were dishonoured. Further, he is Director of the bank. The other accused persons against whom similar role has been attributed have been enlarged on bail under order of this

Court dated 02.11.2023 in Anticipatory Bail Application No.1452/2023 with connected matters. The applicant deserves parity and similar relief. So far as attendance of accused, it can be secured by putting certain conditions. No purpose would serve continuing detention of applicant. In that view of the matter, case is made out for grant of bail. Hence, following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Amol Shankarrao More be released on bail in connection with Crime No.391/2023 registered with Georai Police Station, Dist. Beed for the offences punishable under Sections 406, 409, 420, 120-B of the Indian Penal Code read with Sections 3 and 4 of the M.P.I.D. Act on furnishing P.B. and S.B. of Rs.1,00,000/- (Rs.One Lakh only) on following condition:
 - a. The applicant shall not tamper with the prosecution evidence in any manner or pressurize witnesses.
 - b. The applicant shall attend each and every effective date of hearing before Special Court, unless specifically exempted.
- (iii) Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE