IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2205 OF 2024

Arvindbhai Irshwarbhai Prajapati
VERSUS
The State Of Maharashtra And Another

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- Mr. Swapnil Patnunkar i/by J. P. Legal Asso, Advocate for the Applicant
- Mrs. M. N. Ghanekar, APP for the Respondent/State
- Mr S . U. Chaudhari, Advocate for the Informant

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CORAM : R. M. JOSHI, J
DATE : JANUARY 29, 2025

PER COURT :

1. Mr. S. U. Chaudhari, learned Counsel, seeks leave to assist APP on behalf of Informant.

2. Having regard to the nature of offence, he is permitted to assist APP.

3. Applicant apprehends arrest in connection with with C.R. No. 66/2019 registered with Mohadinagar Police Station, Dist. Dhule for the offences punishable under Sections 406, 420, 468 read with Section 34 of the Indian Penal Code.

4. The first information report lodged by the Informant alleged the act of misappropriation, fraud,

etc against the accused persons. It is the case of the Informant that Accused No. 1 in collusion with Accused No. 3 has obtained loan without submitting any security. There is also allegation that the accused has called upon the Informant to deposit money into the different accounts and bogus transfer letter (BTL) and cash deposit certificates were prepared and given to the Informant. There is allegation that total sum of Rs. 4,86,60,000/- is misappropriated.

5. Learned Counsel for the Applicant submits that the name of the Applicant is not referred in the FIR. It is his further submission that the charge-sheet has been filed in the instant case and as such, the custodial interrogation of the Applicant is not necessary. It is his further submission that the amount came to be deposited in his account is at the instance of his son-in-law.

6. Learned APP and learned Counsel for Informant opposed the application. It is pointed out by learned APP that though Applicant is not named in the FIR, account number is mentioned which pertains to the Applicant.

7. There is no dispute about the fact that the charge-sheet has been filed, however, same has been filed against the co-accused. In the instant case, there is allegation of misappropriation of funds. Charge-sheet further indicates that the amount of Rs. 1,40,00,000/- is deposited by the co-accused in the account of present Applicant. Applicant gives no explanation about the said transaction. The offence involves huge amount. The money trail is required to be ascertained. *Prima facie* there is material on record to indicate that the Applicant is connected with the crime. As a result of this, his custodial interrogation is necessary. Hence, application stands dismissed.

(R. M. JOSHI, J.)