

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 19 OF 2025

Ramanand Chandrika Prasad Pandey	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Sandeep Mishra i/by Mr. Vijay Tiwari Advocate for the Applicant.

Mrs. Veera Shinde, A.P.P. for the Respondent – State.

A.P.I. Mr. Nitin Chaudhari, EOW, M.B.V.V. present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	16th JANUARY, 2025.

P.C.:

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.195 of 2022 registered at Achole Police Station District Palghar, for the offences punishable under Sections 420 r/w Section 34 of Indian Penal Code and Sections 52, 53 & 54 of the Maharashtra Regional and Town Planning Act, 1966.
3. It is the case of the prosecution that the Survey Nos.22 & 23 at Mouje Achole were reserved for Sewage Treatment Plant (STP) and dumping ground. It is alleged that

the present applicant and other co-accused got executed the Development Agreement from the owner of the said land and unauthorizedly constructed 12 buildings thereon without any sanction from the Planning Authority. It is alleged that the present applicant, who is one of the developers has sold the flats to third parties and accepted Rs.2.75 Crore from the flat purchasers.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that no complaint is lodged by the flat purchasers. It is submitted that in the identical circumstances in another crime the Hon'ble Supreme Court has granted anticipatory bail to one of the accused therein. It is submitted that considering the over all facts and circumstances of the case, the applicant be released on anticipatory bail as there is no need of custodial interrogation.

6. On the other hand the learned A.P.P for the Respondent-State submits that the applicant has committed all

sorts of illegalities and cheating. It is submitted that the Applicant before the Hon'ble Supreme Court was not the Developer. It is submitted that considering the nature of crime, the applicant may not be released on anticipatory bail.

7. Admittedly, the Survey Nos.22 and 23 were reserved for STP and dumping ground. The present applicant and other co-accused unauthorizedly constructed 12 buildings on the said Survey Nos.22 and 23 and even accepted the amount from the flat purchasers. There are agreements executed by the applicant in favour of flat purchasers. According to the prosecution, the applicant has accepted Rs.2.75 Crore from the flat purchasers. If the protection is granted in such cases, then it would amount to protecting illegalities. Considering the nature of offence, I am not inclined to release the applicant on anticipatory. The application is rejected.

(N. R. BORKAR, J.)