

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 47 OF 2025

Dilip Kumar Rameshchand Vig ...Applicant
V/s.
State of Maharashtra ...Respondent.

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Mr. Vijay Upadhyay for the Applicant.
Mrs. Priyanka S. Rane, APP for the Respondent/State.
PC 1212 Subhash Bhagwan Dubey, Ambad Police Station present.

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CORAM : N.R. BORKAR, J.
DATE : 03.02.2025.

P.C. :

1. This is an application for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.737 of 2024 registered at Ambad Police Station, Nashik for the offences punishable under Sections 406, 420, 465, 468, 471 read with 34 of the Indian Penal Code (IPC).
3. According to the prosecution, in January 2024 the co-accused Abid Raza Mir and the present applicant met the complainant, who is in the business of exporting agricultural produce. They induced him to export 7 containers of bananas by making all sorts of misrepresentation and defrauded him to the tune of Rs.85,23,900/- .
4. I have heard the learned counsel appearing for the applicant and the learned APP for the respondent / State.

5. Learned counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that applicant's export license was used without his consent for the purpose of export in question. The applicant is not beneficiary of any amount out of the said export transaction. In the alternative, it is submitted that it is purely commercial dispute and there is no criminality involved.

6. On the other hand, learned APP for the respondent/State submits that the present applicant has received approximately Rs.23,71,600/- from the co-accused Abid Raza Mir towards the transaction in question. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the documents collected by the Investigating Officer from the Customs department. In the said documents, the present applicant is third party exporter. It is difficult to accept that his export license was used without his consent. Apart from it, from the bank statement of the present applicant it appears that he has received about Rs.23,71,600/- from the co-accused Abid Raza Mir. In that view of the matter, I am not inclined to grant anticipatory bail to the applicant. Hence, the Application stands rejected.

8. The interim order dated 09.01.2025 stands vacated.

[N.R.BORKAR, J.]