



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (ABA) NO.172 OF 2025**

Roshan s/o Arun Gade

Vs.

State of Maharashtra, through Police Station Officer, Ashti, Wardha

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Mr. M. V. Rai, Counsel for the applicant.

Mr. M. K. Pathan, APP for non-applicant / State.

**CORAM : URMILA JOSHI-PHALKE, J.**

**DATED : 21/03/2025**

1. Apprehending the arrest at the hands of police in connection with Crime No.14/2025 registered with Police Station Ashti, District Wardha for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Chetan Govardandasji Rathi on an allegation that the present applicant on the pretext of auction in a bank obtained money from him and not returned the said money and thereby he is duped. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned Counsel for the applicant, who submitted that with a false and baseless allegations, the applicant is arraigned as an accused in the present crime. As far as the custodial interrogation is concerned, which is not required. He submitted that the story narrated by the informant itself is improbable, and therefore, at this stage itself required to be discarded. Thus, considering the same, the applicant be protected by granting anticipatory bail.

4. Learned APP strongly opposed for the same and submitted that the applicant induced the informant and other investors for paying the money and accordingly, the applicant along with the other accused obtained the huge amount, and thereafter the informant was duped by accepting the said amount. The custodial interrogation of the present applicant is required considering the stake of the amount. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers, the role of the present applicant reveals which shows that on the pretext of having auction in the bank, the amount was obtained to take part in the said auction, and thereafter the informant was duped. Considering the stake of the amount which is involved, no case is made out for grant of anticipatory bail. Admittedly, considering

the amount is to be recovered from the present applicant, his custodial interrogation is required. Moreover, his custodial interrogation is also required to ascertain the manner in which the alleged offence is committed by him. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass following order:

**ORDER**

The application is rejected.

**(URMILA JOSHI-PHALKE, J.)**