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

CRIMINAL APPLICATION (ABA) NO.452/2025

Dilip s/o Govinda Dongardive and another
Vs.
The State of Maharashtra through P.S.O., Police Station Mehkar, Dist. Buldhana

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

Shri S.V. Deshmukh, Advocate for applicant
Shri A.A. Madiwale, APP for respondent/State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03.07.2025

Apprehending the arrest at the hands of the police, in connection with Crime No.307/2025, registered with Police Station Mehkar, District Buldhana, for the offence punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code, the applicants approached to this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicants, who submitted that the informant is the father-in-law of applicant No.1 Dilip Dongardive and out of the family dispute, the alleged FIR came to be lodged against the present applicants. He submitted that as far as the allegations, the informant has sold out his field and kept the amount in his bank account and it is allegedly withdrawn by the present applicants. In fact, the entire transaction from the Bank account is online transfers and, therefore, the allegation is not substantiated by any material. In view of that the applicants be protected by granting anticipatory bail

as nothing is to be recovered from them.

3. Learned APP strongly opposed the application and submitted that by gaining the trust of the informant who is old aged person, the applicants have obtained the amount and cheated the informant and, therefore, their custodial interrogation is required.

4. On hearing both the sides and on perusal of the investigation papers, it reveals that the entire transaction either by self withdrawal or by NEFT or RTGS. As far as the withdrawal by the present applicants is concerned, the account statement nowhere discloses that any cheque was issued in the name of applicants or there is no allegation that the cheque was obtained and amount was withdrawn. Thus, considering the fact at this stage that the allegation is not substantiated by the account statements. The applicants have made out a case for grant of anticipatory bail. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) In the even of the arrest in connection with Crime No.307/2025, registered with Police Station Mehkar, District Buldhana, for the offence punishable under Sections 420, 406 read with Section 34 of the Indian Penal Code, **applicant No.1 - Dilip s/o Govinda Dongardive and applicant No.2 - Praful s/o Dilip Dongardive**, be released on ad-interim anticipatory bail on executing a P.R. Bond in the sum of Rs.25,000/- each with one solvent surety, in the like amount.

(iv) The applicants shall attend the concerned police station once in a week i.e. on every Tuesday, between 10.00 a.m. to 1.00 p.m., and shall co-operate with the investigating agency.

(vi) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

R.S. Sahare