



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

CRIMINAL APPLICATION (ABA) NO. 835 OF 2024

Pradip S/o Dattatray Dudhbhate Vs State Of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Karmanya Ravi Giripunje, h/f Mr. S.V. Sirpurkar, counsel for applicant
Mrs. Swati Kolhe, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/02/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.551/2024 registered with Police Station Bhadrawati, District Chandrapur for the offences punishable under Sections 318(4) and 316(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Learned counsel for the applicant submitted that as far as recitals of the FIR is concerned, there is entire allegation against the co-accused Rajat Itankar. As far as the present applicant is concerned, there is no single allegation against him, and in a concluding paragraph, his name is mentioned, but the allegation of withdrawal of the amount is not against the present applicant; he has not received any monetary benefit, and therefore custodial interrogation is not required. In view of that, he be released on anticipatory bail.

3. Learned APP strongly opposed the said application on the ground that during the internal investigation, it revealed that the present applicant has assisted the other co-accused in a fraudulent transaction, and the specific allegation against the applicant revealed from the said investigation, which shows that the present applicant has verified some of the accounts and ten transactions by the present applicant. In view of that, the application deserves to be rejected, as his custodial interrogation is required.

4. After hearing both sides and on perusal of the investigation papers as well as the inquiry report, which is carried out by the officers of the bank. It reveals that the entire allegation is against the co-accused, i.e. one Rajat Itankar. As far as the present applicant is concerned, though it is revealed that he has also assisted the other co-accused, admittedly no monetary benefit is received by the present applicant. As far as his actual role is concerned, there is no inquiry conducted. Thus, considering the nature of the allegation against the present applicant, at this stage, the applicant has made out a case for grant of anticipatory bail. In view of that, I proceed to pass following order:

a] The criminal application is **allowed**.

b] In the event of the arrest, the applicant -
Pradip s/o Dattatray Dudhbhate in
connection with Crime No.551/2024

registered with Police Station Bhadrawati, District Chandrapur for the offence punishable under Sections 318(4) and 316(5) of the Bharatiya Nyaya Sanhita, 2023, shall be released on anticipatory bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.

- c] The applicant shall attend the concerned police station once in a week on Sunday between 10.00 AM to 01.00 PM and shall cooperate with the Investigating Agency till filing of the charge-sheet.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either personally or by way of electronic media.

5. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]