



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO. 1443 OF 2021
IN
(C. R. No. 121 of 2018 of Dahisar Police Station)**

Mr. Sanjay Balwant Vichare,

Age : 55 yrs.,

R/o : C/704, Prathamesh Horizon CHS. Ltd.,

New MHB Colony, Borivali W.

Mumbai 400 091

..Applicant

Vs

The State of Maharashtra

(through Dahisar Police Station)

..Respondent

Ld. Adv. Jagtap, for the applicant.

Ld. APP Sachin Jadhav, for the State.

**CORAM : SHRI S. U. BAGHELE,
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO.09.**

DATE : 10th November, 2021

ORAL ORDER

This is an application for the grant of anticipatory bail under section 438 of the Cr.P.C., in connection with C.R. No. 121 of 2018, registered with Dahisar Police Station, for the offences punishable under

sections 420, 406, 409, 465, 468, 471, 120-B read with section 34 of the Indian Penal Code.

2 Perused the application, the say filed thereon and the documents relied upon in support thereof.

3 Heard the learned counsel for the applicant and the learned APP for the State.

4 It is submitted by the learned counsel for the applicant that loan was sanctioned by the applicant as a Manager of a bank in 2016, on the basis of the documents which were produced. The said amount was deposited in the account of the informant, who used that amount to pay to the co-accused. Per contra, it is submitted by the learned APP that the loan was sanctioned by the applicant to an ineligible person, in conspiracy with the co-accused. His custodial interrogation is required.

5 As per the FIR, the informant was duped of certain sum of money by the co-accused. The role attributed to the applicant is that of sanctioning certain loan, on the basis of false documents, in conspiracy with the co-accused. The said loan amount is said to have been transferred to the bank account of the informant and his wife.

6 Considering the fact that the applicant did not misappropriate the amount of loan, but deposited the same in the account of the informant and his wife, the only allegation that remains against him is of sanctioning the loan to an ineligible person. The applicant does not appear

to be the beneficiary.

7 In the above circumstances, looking to the alleged role attributed to the applicant, his custodial interrogation is not necessary. Hence, the applicant is entitled to anticipatory bail. Thus, I proceed to pass the following order :

ORDER

- 1) The application for the grant of anticipatory bail is hereby allowed and it is hereby directed that in the case of arrest of the applicant **Sanjay Balwant Vichare**, in connection with C.R. No. 121 of 2018, registered with Dahisar Police Station, for the offences punishable under sections 420, 406, 409, 465, 468, 471, 120-B read with section 34 of the Indian Penal Code, he be released on bail, on his executing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand Only), with one or more sureties in the like amount, on the conditions that the applicant shall not tamper with the prosecution witnesses in any manner and shall co-operate with the investigating agency.
- 2) The concerned Police Station be informed accordingly.
- 3) Anticipatory Bail Application No. 1443 of 2021 is hereby disposed of accordingly.

Dt. 10/11/2021

(S. U. BAGHELE)
Additional Sessions Judge,
Borivali Div., Dindoshi, Mumbai

Dictated on : 10/11/2021
Transcribed on : 10/11/2021
Signed on : 10/11/2021

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

11/11/2021 at 11.45 a.m.
UPLOAD DATE AND TIME

Mrs. S.B. Vichare
NAME OF STENOGRAPHER

Name of Judge (with Court room no.)	HHJ Shri S. U. Baghele, City Civil & Sessions Court, Borivali Div., Dindoshi, Mumbai (C.R.No. 09)
Date of Pronouncement of JUDGEMENT/ORDER	10/11/2021
JUDGEMENT/ORDER signed by P.O. on	10/11/2021
JUDGEMENT/ORDER uploaded on	11/11/2021