

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

926. CRI.APPLN/42/2015 In CRI.APPLN/3325/2008
WITH
CRI.APPLN/41/2015 In CRI.APPLN/3325/2008

SHRI SANJAY KASHINATH LAD
V/S
THE STATE OF MAHARASHTRA AND OTHERS

Mr. V.C. Solshe, Advocate for applicants.

Mr. R.P. Phatke, APP for respondent Nos. 1 and 2.

Mr. M.H. Patil, Advocate for respondent No.3.

CORAM : T.V. NALAWADE, J.

DATED : 30th January, 2015.

ORDER :

1. Both the applications are filed for permission to withdraw the amount deposited by the applicants in view of the directions given by this Court. It appears that while granting relief of anticipatory bail to the applicants, they were directed to deposit Rs. one lakh each with Suman Nagari Sahakari Patsanstha Ltd. Dhule i.e. respondent No. 3.

2. Submission was made that in the said crime, the applicants are discharged. Copy of the order made by the learned Chief Judicial Magistrate, Dhule is produced on the record. It appears that both the applicants are discharged by order made in the month of December 2013. The office of the

Public Prosecutor from Dhule did not make proposal for challenging the order of discharge. Thus, it appears that there is no record of challenge made against the order passed by the learned C.J.M. Copies of the orders made by this (other Hon'ble Judge) in Criminal Application Nos. 4733/2013 and 6378/2013 and 6377/2014 are produced and they show that in similar circumstances, this Court has allowed the applications and allowed the applicants from that proceedings to withdraw the amount.

3. In the result, both the applications are allowed. The amount is to be handed over to the applicants by the concerned Society.

4. The letter written by Assistant Public Prosecutor, C.J.M. Court, Dhule is produced on record. It is taken on record and marked as 'A' for the purpose of identification.

[T.V. NALAWADE, J.]

ssc/