

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
CRIMINAL APPELLATE JURISDICTION.**

Criminal Application No. 1287 Of 2015.

BHAUSAHEB S/O JAIRAM DEVRE.
VERSUS
THE STATE Of MAHARASHTRA AND OTHERS.

Appearance =>

Mr. Nilesh Ghanekar, Advocate for the Applicant.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

Coram : V.M. Deshpande, J.

Date : 25th March, 2015.

Per Court :-

Heard Mr. Nilesh Ghanekar, Advocate for the Applicant and Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra, in extenso.

[2] Allegations made against the present applicant in the First Information Report dated 30th January, 2015 is that on the say of the present applicant, first informant and one Vitthal Waghmare have deposited various amounts in the Bank Accounts of the co-accused namely Vijay Santosh Patil, Pradeep Prakashrao Gaikwad and Santosh Ramrao Gawali.

[3] It is informed to the court that, co-accused, Pradeep and Vijay have already released on anticipatory bail, by the trial court. It is not in dispute that, amount of Rs.9,50,000/- is already recovered from the present applicant, during the course of investigation.

[4] The learned Additional Public Prosecutor has submitted that, all the bank receipts and the bank extracts are already seized from the concern banks. He submitted that, statement of Vitthal Waghmare is yet to be recorded.

[5] Looking to the fact that substantial amount of Rs.9,50,000/- is already recovered, necessary documents are already seized and those are in possession of the Investigating Officer and the applicant is in jail from the date of his arrest i.e. 13th February, 2015, though charge-sheet is not filed, present applicant can be released on bail. It appears that, investigation is at the verge of completion. In that view of the matter, keeping the applicant in the jail will not subserve any purpose. Hence, I pass the following order :-

ORDER

(i) Criminal Application No.1287/2015 is allowed.

(ii) Applicant - BHAUSAHEB S/O JAIRAM DEVRE shall be released on bail on he executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen Thousand.] with two solvent sureties in the like amount, in connection with CR No.25/15 registered with Gangapur Police Station, Dist. Aurangabad

for the offences punishable under Section.s. 406, 420, 506 read with 34 of the Indian Penal Code.

(iii) The applicant shall attend the Gangapur Police Station, Dist. Aurangabad twice in a week in between 3.00 to 5.00 p.m preferably on every Sunday and Tuesday, till filing of the charge-sheet.

(iv) The applicant shall not pressurize and/or tamper with the prosecution witnesses.

(v) The applicant shall not leave the territorial jurisdiction of Gangapur Police Station, Dist. Aurangabad without informing the Investigating Officer.

(vi) With this, Criminal Application is disposed of.

(V.M. DESHPANDE, J.)