

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICTION NO.2038 OF 2015.

Javed Iqbal Abdul Halim.

Versus

The State of Maharashtra.

Appearance =>

Mr. H.D. Deshmukh, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 28th April, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of anticipatory bail in connection with CR No. I 254/2014 registered with Police Station, Azad Nagar, Taluka & District Dhule for the offences punishable under Section.s. 409, 420, 467 read with 34 of the Indian Penal Code.

[2] Heard Mr. H.D. Deshmukh, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra.

[3] The applicant is the Head-Master of Al Shabab Urdu Primary School of which Shakil Ahmed Akil Ali Ansari was the President, who is already released on anticipatory bail vide order dated 11th March, 2015 passed by this court (Coram : T.V. Nalawade, J.) in Criminal Misc.Application No.1077/2015.

[4] Nature of accusation made against the President and the present applicant are at pari materia, therefore, principle of parity can be extended in favour of the present applicant.

[5] In that view of the matter, the applicant is entitled for the anticipatory bail. According to the First Information Report charge against the present applicant is that he has withdrawn Rs.16,000/- (Rs. Sixteen Thousand.) According to the learned counsel for the applicant, this Rs.16,000/- (Rs. Sixteen Thousand.) included in amount of Rs.3,67,000/- which were directed to be deposited by the President – co accused Shakil Ahmed Akil Ali Ansari, as per the directions given by this Court.

[6] Since allegations in so far as Rs.16,000/- is concerned, in respect of dress, the applicant is directed to deposit Rs.16,000/- (Rs. Sixteen Thousand.). Said amount to be deposited as property in Crime. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - Javed Iqbal Abdul Halim, in the event of his arrest, shall be released on anticipatory bail on he executing P.R. Bond of Rs. 10,000/- [Rs. Ten Thousand.] with one solvent surety in the like amount, in connection with CR No. I 254/2014 registered with Police Station, Azad Nagar, Taluka & District Dhule for the offences punishable under Section.s. 409, 420, 467 read with 34 of the Indian Penal Code.

(iii) Applicant is directed to deposit Rs.16,000/- (Rs. Sixteen Thousand.) within 15 days from today in the Sessions Court, Dhule, District – Dhule.

(iv) If amount of Rs.16,000/- (Rs. Sixteen Thousand.) is not deposited within 15 days, from today, anticipatory bail granted, shall cease to operate and the Investigating Officer will be at liberty to arrest the present applicant.

(v) With this Criminal Application is allowed and same is disposed of.

(V.M. DESHPANDE, J.)