

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.4160 OF 2015

Devisingh Chetaramsingh Gujar,
Age 24 years, Occ.Business,
r/o. Padegaon, Aurangabad ..Applicant

Versus

The State of Maharashtra ..Respondent

WITH
CRIMINAL APPLICATION NO.4564 OF 2015
IN
CRIMINAL APPLICATION NO.4160 OF 2015

Chetaramsingh Girirajsingh Gujar
Age 49 years, Occ.Business,
r/o.Padegaon, Aurangabad ..Applicant

Versus

The State of Maharashtra ..Respondent

--

Mr.V.A.Bagdiya, advocate for applicants

Mrs.R.K.Ladda, APP for responden - State

--

CORAM : M.T. JOSHI, J.
DATE : SEPTEMBER 08, 2015

PER COURT :

Heard both sides.

2] Vide order dated 24th December, 2014 passed in Criminal Application No.6714 of 2014, this court had directed to release the applicant on bail upon his deposit of an amount of Rs.Twenty Lakhs in the court of learned Judicial Magistrate F.C. where the charge sheet would be filed, within a period of four weeks from the date of said order, along with direction to execute P.R. bond and furnish surety. It was further directed that deposit of said amount of Rs.Twenty Lakhs, shall be subject to the final decision in the case or subject to the subsequent order from this court in case, the charge sheet is not filed.

3] Learned counsel for the applicant submits that now, Sessions Case No.162 of 2015 is pending in the sessions court. He makes a statement that the applicant could not arrange the amount of Rs.Twenty Lakhs and could manage for an amount of Rs.Ten Lakhs only. He further submits that

considering the difficulties of the applicant, amount of Rs.Ten Lakhs may be accepted.

4] Mr.Bagdiya further submits that Criminal Application No.4564 of 2015 is filed in the present proceedings, showing readiness of owner of the property to furnish security of the property besides the surety that would be furnished as directed earlier. He submits that security of the said property may be accepted and the applicant may be released on bail.

5] Upon hearing both sides, considering the nature of allegations and finding that keeping present applicant in jail for a long time awaiting trial, would not be in the interest of justice. Both submissions of learned counsel for the applicant, are accepted.

6] Hence, the following order :-

A] The earlier order passed by this Court on 24th December, 2014 in Criminal Application No.6714 of 2014, is hereby modified.

B] It is hereby directed that the applicant be released on bail, upon his depositing Rs.Ten Lakhs on the terms and conditions as directed earlier; and also upon furnishing security of the property described in Criminal Application No.4564 of 2015; and upon furnishing P.R. bond and surety in the amount of Rs.20,000, as directed earlier in the concerned sessions court.

C] Time to furnish security is hereby granted for a period of eight weeks from the date of release of the applicant.

D] Both the applications are disposed of in terms of the above order.

[M.T. JOSHI, J.]

kbp