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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.6621 OF 2015

Shaikh Akhtar s/o Shaikh Usman
Patel & ors.

..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENTS

Mr S.S. Thombre, Advocate for applicants;
Mr U.S. Mote, Addl. Public Prosecutor for respondent;
Mr D.S. Manorkar, Advocate to assist Addl. Public Prosecutor

CORAM : N.W. SAMBRE, J.

DATE : 11th January, 2016

ORDER :

Mr Thombre, learned Counsel appearing on behalf of the applicants has tendered a Demand Draft of Rs.1,00,000/-, drawn in favour of Registrar (Judicial) of this Court. Learned Addl. Public Prosecutor undertakes to submit the same to the Registrar (Judicial), who shall deposit the same in a separate account and thereafter remit the same to the Investigating Officer in the present matter. The Investigating Officer shall deposit the said amount in the Sessions Trial, in case if it is decided that the charge-sheet is to be filed in the matter.

2. In case if the charge-sheet is not filed, the complainant will be entitled to claim the amount, either under the Negotiable Instruments Act proceeding or in civil suit to be instituted against the accused.

(2)

3. The applicants are seeking pre-arrest bail, in connection with C.R. No.400 of 2015, registered with Chhawani police station, Aurangabad, for offences punishable under sections 420, 506 read with section 34 of the Indian Penal Code. The applicants have shown their *bona fides* by depositing an amount of Rs.1,00,000/- against the cheque that was dishonoured.

4. Apart from above, it is noticed that the allegation in the first information report speaks of contractual obligation in the matter of transfer of livestock.

5. In that view of the matter, in my opinion, it will be appropriate to direct release of the applicants on pre-arrest bail. Thus, the following order :-

In the event of arrest of the applicants, in connection with C.R. No.400 of 2015, registered with Chhawani police station, Aurangabad, for offences punishable under sections 420, 506 read with section 34 of the Indian Penal Code, they be released on bail, on each of them furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

The applicants shall attend the concerned police station initially on 18th and 19th January, 2016, between 10.00 a.m. and 12 noon and thereafter as and when called for by the Investigating Officer.

Criminal Application stands allowed in above terms.

(3)

(N.W. SAMBRE, J.)

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