

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 274 OF 2015

IN

STAMP NUMBER MAIN NO. 1811 OF 2015

SHRI.SARVESH ROHIDAS SHIRODKAR.

... Applicant

Versus

SHRI.NASSARULLA LOHAR AND ANR.,

... Respondents

Mr. Ashwin D. Bhobe, Advocate for the Applicant.

Mr. P. Faldessai, Advocate for the Respondents.

Coram:- S. B. SHUKRE, J.

Date:- 15th February, 2016

P.C.:

Heard learned counsel for the applicant and the learned counsel for the non-applicant no.1.

2. Upon going through the impugned judgment and order, I am of the view that this is a fit case for grant of leave to file the appeal. It appears that this case will require examination of the evidence available on record from the aspect of rebuttal of presumption under section 139 of N.I. Act and the finding recorded by the learned Magistrate on it.

3. Hence leave is granted. Appeal is admitted.

4. Respondent no.1/accused is present in Court and is ready to

furnish bail but he submits that one weeks time be granted to him.

5. It is directed that respondent no.1 be released on bail on his furnishing a P.R. Bond of Rs.15,000/- (Rupees Fifteen thousand only) tomorrow i.e on 16/2/2016 and also furnishing one solvent surety in the like sum. While the P.R bond of Rs.15,000/- shall be so executed before the learned Registrar of this Court to his satisfaction, the surety bond may be executed on 18/2/2016 before the learned Registrar of this Court and same shall be subject to satisfaction of the learned Registrar.

6. Application is disposed of.

S. B. SHUKRE, J.

ap/-