

Rane

* 1/3 *

BA-834-2016 &
BA-1349-2016
Wednesday, 16.11.2016
sr.no.907

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 834 OF 2016

Jitendra Kumar

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

* * * * *

Mr. Amol Arunprakash Patankar, Advocate for the applicant.

Mrs. Sharmila Kaushik, APP for the respondent, State.

ALONGWITH

BAIL APPLICATION NO. 1349 OF 2016

Ramesh Ganpat Parab

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

* * * * *

Mr. Rajesh More, Advocate for the applicant.

Mrs. J.S. Lohokare, APP for the respondent, State.

CORAM :- N.W. SAMBRE, J.

DATED :- 16th NOVEMBER, 2016.

P.C. :-

- 1). Heard.
- 2). The applicants are seeking regular bail in Crime No.184 of 2015 registered on 2nd June, 2015 for an offence punishable under Section 409, 420, 120B of the Indian Penal Code.
- 3). Both the applicants appear to be public servants who are alleged to have practised fraud on the system and tried to defraud the public exchequer to the tune of more than Rs. 2 crores.
- 4). It is brought to my notice that, apart from the present crime there are no criminal antecedents. The amount of misappropriation is already secured and the other co-accused, as informed at bar, are released on bail.
- 5). The investigation in the matter is complete. The applicants are behind bar for more than one year and so far as applicant, Jitendra Kumar is concerned, statement is made at bar that, his father has recently expired on 8th November, 2016.
- 6). Having regard to the above referred background, as the applicants, public servants are available for the purpose of prosecution since the chargesheet is already filed and the amount misappropriated is already secured, it will be appropriate, in my opinion, to order release of the applicants on following terms.

ORDER

- (I) The applicants shall execute P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one surety in the like amount.
- (II) Two consecutive absence before the learned Magisterial Court will give liberty to the learned Magistrate to proceed with the cancellation.
- (III) Later on, Mr. Patankar, learned Counsel appearing for applicant, Jitendra states that looking to the exigency that the applicant is required to attend the last ritual of his father at Bihar, for the time being, he be permitted to furnish cash surety of Rs.10,000/- for his temporary release. The request of applicant is granted on the condition that he shall furnish cash surety of Rs.10,000/-. So far as the compliance of conditions incorporated in the earlier part of the order is concerned, the applicant, Jitendra is granted six weeks time.
- (IV) The applications stand allowed in the above terms.

(N.W. SAMBRE, J)