

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

CRIMINAL APPLICATION NO.1158 OF 2017

Kashinath s/o Suryabhan Bhawale,
Age 47 years, Occu. Service,
R/o Adul, Taluka Paithan,
District Aurangabad

..Applicant

Versus

The State of Maharashtra,
through Police Station,
M.I.D.C. CIDCO, Aurangabad

..Respondent

Mr G.J. Pahilwan, Advocate for applicant
Mr S.J. Salgare, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 8th March 2017

PER COURT

Heard.

2. While granting bail to the applicant in C.R. No.I-475 of 2016 registered at M.I.D.C. CIDCO Police Station, for the offences punishable under Sections 406, 409, 420 of the Indian Penal Code, the learned Additional Sessions Judge-5, Aurangabad imposed the following conditions.

“(A) The applicant be released on bail from Crime No.I-475 of 2016, for the offence u/s 406, 409, 420 of I.P.C. registered at M.I.D.C. CIDCO Police Station, Aurangabad, on his executing PR and SB of Rs.50,000/- with one surety of like amount.

(B) He shall deposit an amount of Rs.20,12,000/- in the learned trial Court. Out of that amount, he shall immediately deposit Rs.10,12,000/-. Out of remaining

amount, he shall deposit Rs.5,00,000/- within two weeks and balance amount within next two weeks thereafter.

(C) The deposit of installment of above stated amount shall be the condition precedent of this bail. If he will commit default in observing those conditions, he will not be released on bail.

(D) He is further directed to attend daily to the concerned police station on 1st and 15th day of each month till filing of the charge-sheet.

(E) He is further directed not to tamper prosecution witnesses and evidence.

(F) Bail before learned Magistrate."

3. The applicant has sought relaxation of the condition incorporated in Clause (B). He has filed affidavit stating that he shall deposit amount of Rs.5 lacs as ordered, by 30th April 2017. The affidavit is taken on record. The said undertaking given by the applicant is accepted.

4. As such, the time to deposit the amount of Rs.5 lacs is extended till 30th April 2017 by way of last chance pursuant to the undertaking given by the applicant.

5. If the applicant fails to deposit the amount, as stated in the undertaking, bail granted shall automatically stand revoked and he shall surrender on 1st May 2017. In addition to above, this Court will be constrained to take out contempt proceedings against the applicant.

6. With above observations, Criminal Application stands disposed of.

(N.W. SAMBRE, J.)

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