

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

927 CRIMINAL APPLICATION NO. 1396 OF 2017

SHIVRATNA S/O. MURLIDHAR AGHAV AND ANR.
VERSUS
THE STATE OF MAHARASHTRA

Shri. P.S. Paranjape, Advocate, for applicants.
Shri. A.R. Borulkar, Additional Public Prosecutor, for
respondent.

Coram: T.V. NALAWADE, J.

Date: 30 March 2017

ORDER:

1) The application is filed for bail. Heard both the sides. It was submitted that this is the first application filed for bail in this Court.

2) The crime is registered against the present applicants and others for offences punishable under sections 409, 420, 109, 114, 188, 34 of the Indian Penal Code. Present applicant No.1 was working as Head Cashier and applicant No.2 was working as Cashier in Udgir Branch of Bank of Maharashtra. Due to demonetization, persons were coming to the bank for changing old currency notes of the denominations of Rs.

1000 and Rs.500 and, in turn, the present applicants were expected to give them new currency notes. There is allegation that without creating any record they gave new currency notes to many persons and old currency notes were taken by them. It can be said that in one way, black money was made white by the present applicants and other main accused like Vikas Kadam, who was working as Assistant Manager of the said Branch. It is clear that they must have got commission in these transactions. But unfortunately that amount is not recovered. The amount of around Rs.50 lakh was taken that way.

3) The learned counsel for the applicants has produced on record copy of order made by this Court (other Hon'ble Judge) in Criminal Application No.844 of 2017 dated 6 March 2017. The order shows that this Court granted bail to Vikas Kadam, main accused, Assistant Manager, subject to condition of keeping himself outside the jurisdiction of the concerned police station. As the main accused is granted relief of bail with few conditions and as the present applicants are behind the bars since 21-2-2017, this Court holds that on the ground

of parity bail needs to be granted to the present applicants on the same conditions which were imposed on Vikas Kadam. Hence following order :

4) The applicants be released on bail in C.R. No.223/2016, registered at City Police Station, Udgir District Latur, for the offences punishable under Sections 409, 420, 109, 118 read with section 34 of the Indian Penal Code upon their furnishing P.R. bond of Rs.15,000/- with one or two sureties in the like amount by each of them.

5) The applicants shall keep themselves outside the jurisdiction of City Police Station, Udgir till filing of charge sheet.

6) The applicants shall not influence the prosecution witnesses and shall not tamper with the evidence.

7) Criminal Application stands allowed in above terms.

Sd/-
(T.V. NALAWADE, J.)

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