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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 480 OF 2017

Rajendra Marutrao Patil @ Shri Rajendra
Marutrao Magar

... Applicant

V/s.

The State of Maharashtra

... Respondent

Ms. Hetal Patel i/b Subhash Hylyalkar for applicant.

Ms. Ameeta Kuttikrishna, Special P.P i/b Rebecca Gonzalez for Respondent
CBI.

Mr. S.S. Hulke, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 6th DECEMBER 2017.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. RCBE12010E0001 of 2010 dated 30.1.2010 registered with Central Bureau of Investigation/ Economic Offence Wing, Mumbai under Sections 420, 465, 467, 468, 471, 511 r/w 34 and 120(B) of the Indian Penal Code and under Sections 13(1), 13(1)(d) of Prevention of Corruption Act

2] Heard the learned Counsel for the applicant and the learned Special P.P. Perused the entire record.

3] In the aforesaid crime, the applicant was initially arrested on 21.11.2010 and was released on bail by an Order dated 10.1.2011 passed by the learned Special Judge, Greater Mumbai. As the applicant did not attend the proceedings before the Trial Court, a proclamation under Section 82 of Cr. P.C. was issued on 19.8.2014. The respondent-C.B.I subsequently traced out the applicant to be residing at .Flat No.2603, Bogan Villa, Tropical Lagoon, Anand Nagar Circle, Ghodbunder Road, Thane under a fictitious identity as Rahulraj Deshmukh. The respondent-C.B.I therefore on 17.3.2015 in the wee hours at about 3.20 a.m arrested applicant from the said premises and thereafter he was produced before the Court of competent jurisdiction and the applicant was remanded to the judicial custody. The applicant thereafter moved an application for bail which has been turned down by the learned Special Judge, C.B.I, Greater Mumbai by impugned Order dated 10.2.2017.

4] The record clearly indicates that, apart from the fact that after the Special Judge for C.B.I granted bail on 10.1.2011, applicant violated all conditions of bail and did not appear before the concerned Court on any occasion and therefore a proclamation under Section 82 of Cr. P.C. was issued against the applicant, as noted earlier, the applicant by changing his

identity and under fictitious identity of Rahulraj Deshmukh was residing at aforestated address at Thane. That after the C.B.I received confidential information, he was arrested on 17.3.2015 from the said address.

5] The aforesaid fact of change of identity by the applicant and concealing himself from the clutches of law itself is a sufficient ground for rejection of the present application. The Trial Court has rightly rejected the application for bail of the applicant by impugned Order dated 10.2.2017. I find no error in the Order dated 10.2.2017 passed by the Trial Court.

Application is accordingly rejected.

(A.S.GADKARI, J.)