

Anand

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

BAIL APPLICATION NO.1221 OF 2017

Anant Ramchandra Patil .Applicant

Vs.

The State of Maharashtra .Respondent

WITH

BAIL APPLICATION NO.1222 OF 2017

Chandrashekhar Yashwant Chavan .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.M.J.Pabari, Advocate, for the Applicants in
both matters

Mrs.S.S.Kaushik, APP, for the Respondent – State
in both matters

CORAM : REVATI MOHITE DERE, J.

DATE : 29.06.2017

P.C.

. Heard learned counsel for the parties.

2. By these Applications, the Applicants
seek their enlargement on bail in connection
with C.R.No.41 of 2017 registered with the

Poynad Police Station, District – Raigad, for the alleged offences punishable under Sections 420, 467, 468, 471 r/w 34 of the Indian Penal Code.

3. Learned counsel for the Applicants states that there is no material to connect the Applicants with the alleged offences. He submitted that the allegations are essentially as against Anil Chimbulkar, who was arrested and subsequently, enlarged on bail. He submits that the Applicant has no antecedents.

4. Learned APP states that the only allegation as against the Applicants is, that they were present alongwith Anil Chimbulkar and have signed the Sathe Karar dated 24.12.2013. She also does not dispute the fact, that co-accused – Anil Chimbulkar was arrested and subsequently, enlarged on bail.

5. Perused the papers. The allegations are essentially as against Anil Chimbulkar. The Complainant had entered into 'Sathe Karar' with the accused No.1 – Anil Chimbulkar and the Applicants are alleged to have signed the same, as witnesses. It appears that no money has been received by the Applicants. An amount of Rs.17,00,000/- odd was paid by the Complainant to Anil Chimbulkar and that Anil Chimbulkar had repaid Rs.8,00,000/- odd to the Complainant and for the balance amount had issued post dated cheques which were dishonoured. Anil Chimbulkar has also executed a notarized document dated 30.12.2016 stating therein, that he would repay the balance amount by 20.01.2017.

6. Considering the aforesaid, the Applications are allowed and the Applicants are enlarged on bail on the following terms & conditions:-

O R D E R

- (i) The Applicants be enlarged on bail, on executing PR Bond in the sum of **Rs.15,000/- each** with one or two sureties in the like amount;
- (ii) The Applicants shall report to the investigating officer **on every Monday** between **10.00 a.m. and 11.00 a.m.** till the filing of the charge-sheet;
- (iii) The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The Applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) The Applicants to cooperate with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicants' bail.

7. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)