

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

ANTICIPATORY BAIL APPLICATION NO.1839 OF 2016

Stephen Loyd Serrao ... Applicant

Vs.

The State of Maharashtra .. Respondent

with
CRIMINAL APPLICATION NO.989 OF 2016
IN
ANTICIPATORY BAIL APPLICATION NO.1839 OF 2016

The National Bank of Ras Al-Khaimah (P.S.C.) .. Applicant

IN THE MATTER OF:

Stephen Loyd Serrao ... Applicant

Vs.

The State of Maharashtra .. Respondent

Mr.S.P. Kadam i/b S.G. Sanap for the Applicant
Mr.Prashant Jadhav, APP, for Respondent – State
Mr.M.M. Gadkari for Intervener
Mr.J.A. More, API, Koregaon Park Police Station, Pune – present

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 12, 2017

P.C. :

1. The applicant/accused has moved this application for pre-arrest bail as he is prosecuted for the offences punishable under

sections 418 and 420 of the Indian Penal Code at C.R. No.44 of 2016 registered with the Koregaon Park Police Station, Pune at the instance of the complainant bank on 11.4.2016.

2. It is the case of the prosecution that the applicant/accused has obtained a loan by making false representation from the Bank i.e., the National Bank of Ras Al-Khaimah (P.S.C.), Dubai, UAE of AED 429980.75 equivalent to Rs.78,10,703.82. The applicant/accused did not pay the said amount and at the time of obtaining loan, the applicant/accused was working in Dubai, however, without repaying the amount, he came to India and started living in Gujarat. Hence, the offence was registered against him.

3. The learned Counsel for the applicant/accused submitted that the applicant/accused will abide by all the terms and conditions which may be imposed by this Court. He has attended all the dates as directed by this Court. He wants to repay the amount.

4. Learned Prosecutor and the learned Counsel for the complainant have opposed the application. It is submitted that the

bank is cheated by the applicant/accused as he has not paid the amount.

5. Perused the FIR. It appears that the applicant/accused wants to repay the loan. In view of the submissions of the learned Counsel for the parties, I am inclined to confirm the interim bail granted on 25.10.2016 with the same bail bond, however, the applicant/accused shall attend the concerned Police Station as and when required and cooperate with the Investigating Officer. The applicant/accused shall not leave jurisdiction of Mumbai, till 31.1.2017. Further, the applicant/accused shall furnish his permanent as well as temporary addresses to the Investigating Officer.

6. Anticipatory Bail Application is disposed of on the above terms.

7. In view of the disposal of the Anticipatory Bail Application, the criminal application for intervention stands disposed of.

(MRIDULA BHATKAR, J.)