

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1061 OF 2017

Moreshwar s/o Ramaji Meshram, Mai Bhawan, Khat Road, Ramnagar, Bhandara

-vs-

State of Maharashtra, Thr. PSO, PS Mauda, Dist. Nagpur

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Parag Bezalwar, Advocate for applicant.
S. M. Ghodeswar, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 29, 2017

The applicant who has been arrested on 24/04/2017 in connection with Crime No.664/2016 registered with Police Station Mauda, Dist. Nagpur for the offence punishable under Sections 420, 34 of the Indian Penal Code and Section 3 of the M.P.I. D. Act seeks his release on bail.

As per the First Information Report dated 22/12/2016 the complainant has stated that the applicant was the President of a Society which had various branches. The said Society used to accept deposits with an assurance for repaying the same at a good rate of interest. The complainant invested an amount of Rs.5,47,100/- and as that amount was not repaid, she filed the aforesaid report.

It is submitted on behalf of the applicant that despite attempts being made to return the amounts invested along with interest the same could not be done. The investigation in the present crime is complete and charge-sheet has also been

filed. The applicant if released on bail, is willing to deposit the entire amount which is alleged to be misappropriated by the applicant.

The application is opposed by the learned Additional Public Prosecutor by filing the reply. It is submitted that similar offences have been registered against the applicant in other Police Stations. The amount in question is yet to be recovered and hence application deserves to be rejected.

Perused the First Information Report as well as the reply. The records reveal that the Society accepted various amounts with an assurance to repay the same with interest. Records of said Society have now been seized and after completing the investigation the charge-sheet has been filed. According to the applicant if he is released on bail he would replay the entire amount within period of three months from his release. I find that as the charge-sheet has now been filed, the applicant can be enlarged on bail by imposing appropriate conditions.

Accordingly the applicant Moreshwar s/o Ramaji Meshram who has been arrested on 24/04/2017 in connection with Crime No.664/2016 registered with Police Station Mauda, Dist. Nagpur for the offence punishable under Sections 420, 34 of the Indian Penal Code and Section 3 of the M.P.I. D. Act, is directed to be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety in the like amount.

As a condition for grant of bail, the applicant shall deposit an amount of Rs.13,42,090/- within period of three months from his release before the Sessions Court, Nagpur.

The applicant shall not take any steps to influence the prosecution witnesses and shall co-operate in completion of the trial.

Failure to abide by any of the aforesaid conditions would result in liberty to the prosecution to seek cancellation of bail.

The observations made in this order are only for deciding this application which is allowed and disposed of.

JUDGE