

Anand

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

BAIL APPLICATION NO. 146 OF 2018

Rajendraprasad Kedarmal Chaudhari .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. S. G. Rajput, Advocate, for the Applicant

Mrs. A. A. Takalkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 02.04.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 144 of 2016 registered with the Vile Parle Police Station, Mumbai, for the alleged offences punishable under Sections 409, 420, 511 r/w 34 of the Indian Penal Code and under Section 72 of the Information Technology Act.

3. Perused the papers. According to the prosecution, co-accused – Jayprakash Sharma, working as a Senior Relationship Manager with Nirmal Bang Securities Pvt. Ltd. told his brother i. e.

absconding accused, to give the client code numbers and on receipt of the same, Jayprakash gave the said client code numbers to the Applicant, who used the said client code numbers and placed orders to purchase shares worth Rs. 49,94,600/- of Symbiox Investment and Trading Ltd., on 03.05.2016. As far as the Applicant is concerned, he is alleged to have used the three client code numbers and by impersonating the said persons placed orders. Co-accused - Jayprakash Sharma is alleged to have given the client code numbers to the Applicant. Admittedly, no money was parted. The Applicant is in custody since 20.11.2017. Investigation is complete and charge-sheet is filed. The Applicant has no antecedents.

4. Considering the aforesaid, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

- (i) The Applicant be released on **cash bail** in the sum of **Rs. 25,000/-** for a period of six weeks;
- (ii) The Applicant shall furnish P. R. Bond in the sum of **Rs. 25,000/-** with one or more local solvent sureties in the like amount, within a period of six weeks of his release on cash bail;
- (iii) The Applicant shall report to the investigating officer of the

concerned police station on the **1st Sunday of every month** between **10:00 a. m. and 11:00 a. m.** for a period of 12 months from the date of his release;

(iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(v) The Applicant to cooperate with the conduct of the trial;

(vi) If there are two consecutive defaults in appearing before the trial Court, the prosecution will be at liberty to apply for cancellation of the Applicant's bail;

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)