

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 351 OF 2018**

Jayprakash Jabbar Sharma

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Rohit Sawant for the Applicant

Ms. P. N. Dabholkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 13th APRIL, 2018

P.C. :

1. 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, the applicant, working as a Senior Relationship Manager with Nirmal Bank Securities Pvt. Ltd. had told his brother i.e. the absconding accused to give

the client code numbers and on receipt of the same, the applicant had given the said client code numbers to the co-accused Rajendra Prasad Chaudhari, who used the said client code numbers and placed orders to purchase shares worth Rs. 49,94,000/- of Symbiox Investment and Trading Ltd. on 3rd May, 2016. Co-accused-Rajendra Prasad Chaudhari has been enlarged on bail by this Court vide order dated 2nd April, 2018. Admittedly, no money was parted. The applicant is in custody since 20th October, 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 and conditions :

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 30,000/-, with one or more local solvent sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Sunday of every month from 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

(iii) The applicant shall deposit his passport, if any, in the trial Court, before his release;

(iv) The applicant shall not leave the Country without the permission of the trial Court;

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

(vi) The applicant shall inform his latest place of residence and mobile contact number 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;

(vii) The applicant to cooperate with the conduct of the trial;

(viii) If there are two consecutive defaults in appearing before the trial Court or in reporting to the Investigating Officer and if there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

5. The application is accordingly disposed of.

6. 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.

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

REVATI MOHITE DERE, J.