

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 1092 OF 2018**

K. Vidyasankar

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Sandeep Karnik i/by Gunjan Chaubey for the Applicant.

Mr. Ameet Palkar APP, for the Respondent-State.

Mr. H.S. Venegavkar for the CIB.

CORAM : A. S. GADKARI, J.

DATE : 19th JUNE, 2018.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. RCBA1/2016/A0016 dated 15th June, 2016 registered with CBI, ACB, Mumbai under Sections 120(B), 409 and 420 of the Indian Penal Code and Section 13(2) r/w 13(1)(d) of Prevention of Corruption Act, now culminated into CBI Special Case No. 55 of 2017.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the charge sheet.

3 It is the case of the prosecution that, the Applicant was working as a Manager of Canara Bank, Fort Main Branch, Mumbai

entered into criminal conspiracy with unknown public servants and others and in pursuance to the said conspiracy committed an act of cheating with Canara Bank to the tune of Rs.1,21,97,849.28/- by effecting debit entries in the bank ledger books and then crediting the said amounts in his own account by unauthorized use of the password of other employees.

During the course of investigation, approximately an amount of Rs.96 lakhs has been recovered at the instance of the Applicant. The record further indicates that, the investigating agency till submission of charge sheet, did not seek custody of the Applicant. The Bail Application of the Applicant has been rejected by the Trial Court, when he appeared before it, in pursuance of summons issued to him.

4 The record indicates that, the Applicant has cooperated during the process of investigation and his custody was never sought by the Investigating Agency till the filing of the charge sheet. As noted earlier, an amount of Rs.96 lakhs has already been recovered, at the instance of the Applicant.

5 In view thereof, I am inclined to release the Applicant on bail.

Hence, the following order.

- a) The Applicant be released on bail in CR No. RCBA1/2016/A0016 registered with CBI, ACB, Mumbai, now culminated into CBI Special Case No. 55 of 2017, on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) After his release from Jail, the Applicant shall attend the CBI, ACB, Mumbai, on every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- c) The Applicant shall attend all the dates before the Trial Court unless precluded on medical reasons.
- d) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)