

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2635 OF 2016**

Govind Raj RaoApplicant.

Vs.

State of Maharashtra & Ors.Respondents.

WITH**CRIMINAL APPLICATION NO. 616 OF 2017****IN****BAIL APPLICATION NO. 2635 OF 2016**

Britannia Industries Ltd.

Through Shri Rajesh Arora

....Applicant.

IN THE MATTER BETWEEN-

Govind Raj Rao

....Applicant.

Vs.

State of Maharashtra & Ors.

....Respondents.

Mr. Sanjeev Kadam a/w Ms. Yasmeen Mohd. Sabir and Mr. Ravi Kotian
i/by Little & Co. for the Applicant.

Mr. A.H. Ponda i/by M.A. Hebballi for the intervenor.

Ms. A.A. Takalkar, APP, for the Respondent-State.

Mr. Dhananjay M. Deodikar, API, EOW-V, Mumbai.

CORAM : A. S. GADKARI, J.

DATE : 13th JUNE, 2018.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. 24 of 2016 dated 1st April, 2016 investigated by the EOW Unit-V, Mumbai for the offences

punishable under Sections 409, 420, 465, 467, 471, 472, 477(A), 120(B) r/w 34 of the Indian Penal Code.

2 Heard the learned counsel appearing for the Applicant, the learned counsel for the first informant and the learned APP. Perused the record.

3 The record indicates that in the aforesaid crime, the Applicant was arrested on 28 March, 2016 when he was approximately 76 years of age. After completion of investigation, the police have submitted charge-sheet. The Applicant has already undergone pre-trial incarceration of about 2 years and 3 months. After taking into consideration the age of the Applicant i.e. stated to be above 78 years and without going into the merits of the matter, in my considered view, the Applicant can be released on bail.

4 Hence the following order.

- a) The Applicant be released on bail in CR No. 24 of 2016 dated 1st April 2016, investigated by the EOW Unit-V, Mumbai on his furnishing PR bond of Rs.50,000/- with one or two solvent local sureties in the like amount.

- b) After his release from Jail, the Applicant shall attend the office of the EOW Unit-V, Mumbai on every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the conclusion of trial.
- c) The Applicant shall attend all the dates before the Trial Court unless precluded for medical reasons.
- d) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

5 Application is allowed in the aforesaid terms.

6 In view of the order passed in Bail Application No. 2635 of 2016, the Criminal Application No. 616 of 2017 for intervention, does not survive and is also disposed off.

(A.S. GADKARI, J.)