

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

BAIL APPLICATION NO. 2595 OF 2018

Santosh @ Yashwant Wamanrao DesaleApplicant

V/s.

The State of MaharashtraRespondent

Mr. Bhushan Deshmukh for the applicant.

Mr. Rajan Salvi, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 23rd OCTOBER, 2018.

P.C.:

. This is an application under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who has been arrested in C.R.No.I-124/2017 registered with Lasalgaon Police Station, District Nashik for offences punishable under sections 409, 420, 406 r/w. 34 of Indian Penal Code and sections 3, 4 of the Maharashtra Protection of Interest of Depositors (MPID) Act.

2. Heard Mr. Bhushan Deshmukh, learned counsel for the applicant and Mr. Rajan Salvi, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the first information report lodged by one Naresh Bhojraj Motiani. The first informant has alleged that the Chairman of Dokeshwar Multistate Urban Co-operative Credit Society Ltd. and members had induced the investors to invest money in the said Co-operative Society. The first informant has alleged that the Chairman and the members of the said society have misappropriated the amount invested by several investors. The applicant is employed as a Development Officer. The allegation against the applicant is that as an employee of the said Society, he had brought cash of Rs.1,66,80,616/- from various branches and that he had not given account of the same to the main branch.

4. It may be mentioned that similar allegations were made against Ravindra @ Manoj J. Kale and Dattatraya N. Borse. Both these applicants have been granted bail. There is no reason to decline bail to the applicant who is similarly placed. The applicant was arrested on 05/06/2018. He has been duly interrogated. Investigation in the said crime is concluded and charge sheet has been filed. The presence of the applicant, is therefore, not required for the purpose of investigation. The applicant is a permanent resident of Lasalgaon, Dist. Nashik. There is no possibility of the applicant absconding and/or

thwarting the course of justice. The applicant has no criminal antecedents.

5. Considering the above facts and circumstances, in my considered view, the applicant is entitled for bail. Hence, the Bail Application is allowed on following terms and conditions :-

(a) The applicant who is arrested in C.R.No.I-124/2017 registered with Lasalgaon Police Station, District Nashik is ordered to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty Thousand) with one or two solvent sureties in the like amount.

(b) The applicant shall furnish his permanent address and temporary address, if any, and his contact details to the concerned Court.

(c) The applicant shall not change his residential address without prior intimation to the Investigation Officer and to the concerned Court.

(d) The applicant shall not interfere with the witnesses in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)