

Dond

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

ANTICIPATORY BAIL APPLICATION NO.1904 OF 2017

Uday Suresh Surve

..Applicant

Vs

The State of Maharashtra .

..Respondent

Mr. Sriram Sirsat a/w Bharat Manghani a/w Padmashree i/b Kulkarni & Associates for applicant.

Ms. Avinash Avad, Special P.P., with Ms. A.A. Takalkar for State.

CORAM : A.S.GADKARI, J.

DATE : 8th FEBRUARY 2018.

P.C.:

1] Heard the learned Counsel for the applicant and the learned Special P.P. Perused the record of investigation.

2] By an Order dated 18th December 2017, the learned Counsel for the applicant made a statement that, with a view to prove his bonafide and without prejudice to the rights and contentions of the applicant, the applicant will deposit Rs.50.00 lakhs in the Registry of this Court within two weeks from the date of said Order.

3] The learned Counsel for the applicant submitted that the applicant has complied with the said Order and has deposited the said amount. The amount alleged to have been defalcated as per the first

information report is Rs.49,47,000/- and the applicant has deposited Rs.50.00 lakhs in the Registry of this Court as noted above. After perusing the record made available, this Court is of the view that the custodial interrogation of the applicant for further investigation of the present is not necessary.

4] In view thereof, the applicant can be protected by pre-arrest bail.

Hence the following Order:-

(i) In the event of arrest in CR No.70 of 2017 (Original CR No. 202 of 2017, registered with Vanrai Police Station, Mumbai) now being investigated by E.O.W., Unit-II, the applicant shall be released on bail on his furnishing PR bond in the sum of Rs.50,000/- with one or two solvent local sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer as and when called for after receipt of notice under Section 160 of Cr. P.C. and to join in the process of investigation till submission of final report.

(iii) Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)