

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2851 OF 2018

Vishal T. Tiwari	... Applicant
Vs.	
The State of Maharashtra	... Respondent

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Mr. Aabad Ponda a/w. Vijai B. Mankavil a/w. Ankit D. for the applicant.
Mr. S.R. Agarkar, APP for the respondent-State.
I.O. Mr. Arvind Ghag, P.I., DCB-CID, Unit – XI.

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CORAM : M.S. KARNIK , J.
(Vacation Court)

Date : 14th November, 2018.

P.C. :

Heard learned Counsel for the applicant.

2. This is an application for releasing the applicant on bail in respect of C.R.No.55 of 2018 for the offences punishable under Section 419, 420, 465, 468, 471, 120-B r/w. 34 of the Indian Penal Code.

3. The applicant was arrested on 25th September, 2018 by DCB-CID, Unit-XI, Kandivali, Mumbai. It is the allegation of the prosecution that the present applicant/original accused No.3 had introduced the accused No.1 with the Managers of the Bank of India and

Indian Bank, Madavi Branch for obtaining loans and for which accused No.1 has paid some amount to the applicant.

4. This Court by order dated 5th November, 2018 had recorded the statement of the learned Counsel of the applicant on instructions that the applicant is ready to deposit the entire amount of Rs.5,57,000/- shown as outstanding.

5. Learned APP now points out that outstanding amount is in fact Rs.6,57,500/-. Learned Counsel for the applicant submits that he is willing to deposit this outstanding amount of Rs.6,57,500/- within a period of two weeks from today. Learned APP on instructions from Investigating Officer submits that the charge-sheet will be filed during the course of the day.

6. Learned Counsel for the applicant, on instructions from the wife of the applicant, submits that the daughter of the applicant is at advanced stage of pregnancy and therefore, it will be useful if the applicant is present by her side. There is no one from the husband's side to take care of the daughter of the applicant.

7. Having regard to the fact that the charge-sheet is ready to be filed and that the applicant is in custody since 25/9/2018 further

custody of the applicant is not necessary. Moreover, having regard to the nature of the offence alleged and that the applicant is undertaking to deposit entire amount of Rs.6,57,500/- within a period of two weeks from today, the applicant deserves to be enlarged on bail.

8. In this view of the matter, I am inclined to release the applicant on bail. Hence the following order.

ORDER

(i) The applicant be enlarged on bail on his furnishing P.R. Bond of Rs. 25,000/- with one or more sureties in the like amount in respect of the C.R.No.55 of 2018 registered with DCB-CID, Unit – XI, Kandivali, Mumbai, for the offences punishable under Section 419, 420, 465, 468, 471, 120-B r/w. 34 of the Indian Penal Code.

(ii) The applicant to co-operate with the investigation and to attend the police station as and when called.

9. The Application is disposed of.

10. Parties to act on the basis of authenticated copy of this order.

(M. S. KARNIK, J.)