

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1202/2017

Prakash @ Prakashchandra s/o Namdeorao Raut ..vs.. The State of
Maharashtra through PSO P. S. Rajapeth, Amravati and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. K. Shukul, Advocate for applicant.

Mr. T. A. Mirza, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 16, 2018

1. Heard Mr. K. Shukul, Advocate for applicant Mr.
T. A. Mirza, A.P.P. for non applicant-State.

2. The applicant is arrested in connection with
Crime No.305/2013 registered with Police Station, Rajapeth,
Amravati for an offence punishable under Sections 406, 409,
420, 465, 467, 468, 471, 201, 120-B read with Section 34 of
the Indian Penal Code, Sections 58(B), 5(A), 58(1) of the
Reserve Bank of India Act and Section 3 of the Maharashtra
Protection of Interests of Depositors (In Financial
Establishments) Act.

The investigation is over and charge-sheet is
already filed in the matter.

3. The learned counsel for the applicant submitted
that apart from the age of the applicant, according to him,
the applicant, who was working as an agent with Shreesurya

Investment Company, his role is identical to the other agents who are already released on bail, regular or anticipatory, either by this Court or by the learned trial Court.

4. Today, the learned A.P.P. filed the reply on behalf of the State in which in paragraph 2, names of six persons are given who were working as agents with Shreesurya Investment Company, who were arrested and are released on bail either by the trial Court or by this Court in various applications. In paragraph 3 of the said additional affidavit, names of about 7 persons are given who were working as agents with Shreesurya and who are released on bail. The learned A.P.P. concurs with the statement made by the learned counsel for the applicant that the case of the present applicant is at par with the agents whose names are disclosed in the additional affidavit who are either released on regular or anticipatory bail.

5. The applicant is arrested on 02.11.2017 and since then he is in jail. Looking to the fact that the similarly situated accused persons are already released on bail, in my view, by extending the principle of parity, the applicant is entitled to be released on bail.

6. In that view of the matter, following order is passed.

ORDER

- (i) Criminal Application No. 1202/2017 is allowed.
- (ii) Applicant-Prakash @ Prakashchandra s/o Namdeorao Raut be released on bail in connection with Crime No.305/2013 registered with Police Station, Rajapeth, Amravati for an offence punishable under Sections 406, 409, 420, 465, 467, 468, 471, 201, 120-B read with Section 34 of the Indian Penal Code, Sections 58(B), 5(A), 58(1) of the Reserve Bank of India Act and Section 3 of the Maharashtra Protection of Interests of Depositors (In Financial Establishments) Act, on he executing P.R. Bond in the sum of Rs.50,000/- with two solvent sureties in the like amount.

The application stands disposed of accordingly.

JUDGE