

Anand

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

BAIL APPLICATION NO. 1 OF 2019

Parvez Akbar Shaikh

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. N. J. Mohite, Advocate, for the Applicant

Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 11.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No. I-320 of 2018 registered with the Narpoli Police Station, Mumbai, for the alleged offences punishable under Sections 419, 420, 465, 467, 468 & 471 of the Indian Penal Code.

3. According to the Complainant – Ramesh Marathe, the incident took place on 17.07.2018. The Complainant has alleged

that the Applicant alongwith another co-accused withdrew an amount of Rs. 1,10,000/- from his account, by using his ATM card, on the pretext of helping him withdraw the said amount. Pursuant to the complaint, the accused including the Applicant were arrested on 24.07.2018. During investigation, an amount of Rs. 68,000/- was seized from the Applicant out of Rs. 1,10,000/- allegedly misappropriated by the Applicant by using the Complainant's ATM card. On the last date, the Applicant expressed his ready and willingness to deposit the balance amount of Rs. 42,000/- in the Registry of this Court without prejudice to his rights and contentions. Accordingly, the Applicant has deposited the said amount of Rs. 42,000/- in the Registry of this Court. Learned counsel for the Applicant states that he will not file any Application seeking withdrawal of the said amount till the conclusion of the trial. Statement accepted. The Applicant has no antecedents.

4. Considering the aforesaid and the fact that the Applicant is in custody since 24.07.2018, his, further detention is not warranted. Accordingly, the Application is allowed and the

Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant – Parvez Shaikh be enlarged on **cash bail** in the sum of **Rs. 20,000/-, for a period of eight weeks;**

(ii) The Applicant shall within the said period of eight weeks, furnish P. R. Bond in the sum of Rs. 20,000/- with one or more sureties in the like amount;

(iii) The Applicant shall report to the investigating officer of the concerned police station on the first Monday of every month for a period of six months from the date of his release;

(iv) The Applicant shall not contact the Complainant or any person concerned with the case;

(v) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

All concerned to act on the authenticated copy of
this order.

(REVATI MOHITE DERE, J.)