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

ANTICIPATORY BAIL APPLICATION NO.68 OF 2019

Chetna Babasaheb Giri ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Siddharth P. Pimpale for the applicant.

Smt.S.S.Kaushik, APP for the respondent-State.

Mr.Anil S.Bagul, PSI. Sarkarwada police station, Nashik.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 10, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.I-295/2018 for offence punishable under section 409 and 420 read with 34 of the Indian Penal Code registered with Sarkarwada police station, Nashik, the applicant is seeking pre-arrest bail on the allegations that the applicant is in receipt of amount of Rs.2 lakhs by misrepresentation.

3. During the course of hearing, in response to a Court query, it is informed that an amount of Rs.2 lakhs was already

returned to the concerned from whom the same was received.

4. Apart from above, there are no specific allegations or attributes against the applicant of involvement in the crime in question. The case of the applicant cannot be considered at par with other two accused, named in the F.I.R. as specific roles are attributed against the said accused for substantial amount of defalcation. That being so, the application of the applicant can be allowed. Hence the order :-

- i) In the event of arrest in Crime No.I-295/2018 for offence punishable under section 409 and 420 read with 34 of the Indian Penal Code registered with Sarkarwada police station, Nashik, the applicant be released on bail on his executing P.R. bond of Rs.15,000/- with one suerty in the like amount;
- ii) The applicant shall attend the investigating officer as and when directed;
- iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iii) The application is disposed of accordingly.

(NITIN W. SAMBRE, J.)