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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 85 OF 2019**

Shaikh Basheer Shaikh Umar

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Sachin B. Chandan advocate for the applicant

Mr. S. S. Hulke APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : JANUARY 30, 2019.****P.C.**

Applicant is seeking regular bail in Crime No. 3019/015 registered with Wadivarhe Police Station, Dist. Nashik for offence punishable under Sections 465, 468, 471, 120-B of the Indian Penal Code and Sections 3(1) (I) (ii), 3 (2), 3(4) of Maharashtra Control of Organised Crime Act.

2 The role attributed to the applicant is that of godown keeper in the capacity of public servant who was working under the

Department of Food and Civil Supplies, State of Maharashtra.

3 The learned counsel for the applicant submits that the role attributed to the applicant is similar to that of Rajesh Pagare, Ratan Aasan who are applicants in Bail Application Nos. 1462/2018 and 2387/2018 allowed on 29/10/2018.

4 When confronted, the learned APP on instructions conceded that applicants in the said bail applications were working as godown keeper like that of applicant and the role attributed is identical.

5 Apart from above, the fact remains that there is no sanction for prosecuting the applicant under the Prevention of Corruption Act. That being so, application stands allowed on following terms:

(A) Applicant be released in Crime No. 3019/015 registered with Wadivarhe Police Station, Dist. Nashik on bail on furnishing P.R. bond in the sum of Rs. 50,000/- with one or more solvent sureties in the like amount.

(B) The applicant shall report to the Investigating Officer

on first Monday of each month commencing from 04/022/2019 till framing of charge.

(C) The applicant shall maintain a diary of attendance. Upon failure to attend any three consecutive dates, the prosecution would be at liberty to file an application under section 439 (2) of Code of Criminal Procedure, 1973.

(D) The applicant shall not tamper with the evidence.

(E) The applicant shall furnish his contact number as well as the address of residence to the concerned Investigating Officer.

6 Application stands disposed of.

[NITIN W. SAMBRE, J.]