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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.140 OF 2019

IN

ANTICIPATORY BAIL APPLICATION NO.252 OF 2018

Sanjay Satish Kumar Sinha & Anr.

..Applicants.

V/s.

The State of Maharashtra & Anr.

..Respondents.

CRIMINAL APPLICATION NO.1493 OF 2018

IN

ANTICIPATORY BAIL APPLICATION NO.252 OF 2018

ICICI Bank Limited

..Applicant.

V/s.

The State of Maharashtra & Ors.

..Respondents.

Mr.Subhodh Desai with Mr. Santosh Bhide i/b. Bhide Associates the applicants.

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

Mr.Subhash Jha with Mr.Hare Krishna Mishra i/b. Law Global & Associates for respondent Nos.2 & 3,

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 20, 2019

P.C.:-

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

2. Criminal Application No.140 of 2019 is moved by the

applicants claiming that the amount of Rs.1.18 crores paid by M/s. Leeway Logistics Limited, so also an amount of Rs.1.12 crores deposited in this Court pursuant to an order dated February 9, 2018 be refunded / permitted to be withdrawn.

3. A similar request is also made by the ICICI Bank through an application being Criminal Application No.1493 of 2018.

4. Since the aforesaid amount *prima facie* seems to have been subject matter of crime, in which the applicants are seeking pre-arrest bail, it will be appropriate, in my opinion, to permit the investigating officer to keep the said amount as amount involved in the crime in question in accordance with the provisions of the Criminal Procedure Code.

5. Learned APP submits that request will be made to the Registrar, Appellate Side of this Court to that effect. It is directed that the said amount be released in favour of the investigating officer if such request is moved before the Registrar of this Court.

5. In view of the above observations, both these applications stand disposed of.

6. The rights of the respective parties are kept open for claiming the said amount on Supratnama.

(NITIN W. SAMBRE, J.)