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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****ANTICIPATORY BAIL APPLICATION NO. 284 OF 2019**

Hemant Jagannath Vagare

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Harshad E. Palve, Mr. Viral K. Rathod advocate for the applicant

Mr. S. H. Yadav APP for the State

Mr. Santosh V. Bhise, PSI, Khalapur Police Station, Raigad

CORAM : NITIN W. SAMBRE, J.**DATE : FEBRUARY 1, 2019.****P.C.**

In Crime No. 5/2019 registered with Khalapur Police Station, Dist. Raigad for offence punishable under Sections 188, 418, 420 and 120(B) of the Indian Penal Code, applicant is seeking pre-arrest bail.

2 The prosecution case against applicant who is official of the company, after recovery, possession of the vehicles for default in

payment of loan amount. The vehicles were transferred without payment of taxes and thereby caused loss to public exchequer.

3 The learned counsel for the applicant submits that the entire financial liability towards payment of taxes and other amount is already cleared but for the one which is under adjudication. He submits that even the liability in the said matter will also be cleared under protest by depositing the amount within one week from today with the R.T.O. Authorities. He submits that payment to be considered to have been made under the protest.

4 The learned APP submits that there should be an assurance from the applicant that he will not indulge into similar type of offence and shall co-operate with the investigation.

5 In the aforesaid background, statement by the learned counsel for the applicant is accepted as an undertaking. Let the entire arrears, if any, be cleared within one week from today. In view thereof, following order:

(A) In the event of arrest of applicant in Crime No. 5/2019 registered with Khalapur Police Station, Dist. Raigad, applicant be released on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(B) Applicant shall attend Investigating Officer on 04/02/2019, 08/02/2019 and 11/02/2019 and thereafter as and when directed.

(C) If found that the amount as undertaken is not honoured, the protection ordered in favour of the applicants shall cease to operate and it shall be open for the Investigating Officer to take applicants in custody.

6 Application stands disposed of.

[NITIN W. SAMBRE, J.]