

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

BAIL APPLICATION NO. 477 OF 2019

Ravindra Vasudev Bari & ors.Applicants

V/s.

The State of MaharashtraRespondent

Mr. Jha a/w. Ms. Ankita Pawar i/b. Subhash Hulyalkar for the
applicants.

Ms. A.A. Takalkar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 23rd APRIL, 2019.

P.C.:

. This is the second bail application filed by the applicant who has been arrested in C.R.No.I-267/2017 registered with Boisar Police Station for offences punishable under sections 120-B, 406, 420, 467, 468, 471 r/w. 34 of the Indian Penal Code and under section 3 of M.P.I.D. Act.

2. Heard Mr. Jha, learned counsel for the applicants and Mrs. A.A. Takalkar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the FIR lodged by Umesh Bharwad. The case of the prosecution is that the applicant and

others had formed a partnership firm – Gayatri Marketing. It is alleged that the applicants collected money from several persons under the grants of lottery scheme and duped over two thousand eight hundred and twenty investors / persons for an amount of Rs.3,73,65,000/-.

4. The applicants had filed a previous Bail Application No.2513/2018. By order dated 23/10/2018, the previous bail application was dismissed as withdrawn. This being the second bail application, it was incumbent upon the applicant to disclose the said fact. However, these facts regarding filing and withdrawal of previous bail application are conspicuously absent. The applicant has also not annexed the order dated 23/10/2018 whereby the previous bail application was dismissed. In short, the applicant has filed a second bail application by suppressing the facts i.e., filing and withdrawal of previous bail application and withdrawal of previous bail application. Such conduct and practice needs to be deprecated and curbed.

5. In the light of the above facts, the applicant is not entitled for any discretionary reliefs. Hence, the Bail Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)