

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

**CRIMINAL APPLICATION NO. 338 OF 2019  
IN  
CRIMINAL BAIL APPLICATION NO. 1110 OF 2018**

|                          |     |            |
|--------------------------|-----|------------|
| Deeparam Jagaram Mali    | ... | Applicant  |
| V/s.                     |     |            |
| The State of Maharashtra | ... | Respondent |

- Mr.Fakhruddin Khan i/b. Mr.Vikas Tiwari for the Applicant.
- Mr.Prashant Jadhav, APP for the Respondent.

**CORAM : PRAKASH D. NAIK, J.**

**DATE : 1<sup>st</sup> MARCH, 2019.**

**P.C. :**

1] Not on board. Taken on board.

2] The Applicant was granted bail vide order dated 1<sup>st</sup> November, 2018. He was directed to be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more local solvent sureties in the like amount.

3] Learned counsel for the Applicant submits that in view of the direction to furnish local solvent sureties, the Applicant could not

avail of the bail facility and he continued to be in custody inspite of order dated 1<sup>st</sup> November, 2018 granting bail. It is submitted that the co-accused was granted bail by the Sessions Court on provisional cash bail for a period of four weeks. It is submitted that the Applicant be granted facility of provisional cash bail for a period of four weeks. It is submitted that the Applicant is in custody from 16<sup>th</sup> October, 2016.

4] Learned APP submits that the Applicant is resident of Rajasthan. He is involved in the offence punishable under Section 395 of the Indian Penal Code. It is, therefore, submitted that cash bail facility may not be granted to the Applicant. It is pertinent to note that the Applicant is in custody from the date of his arrest inspite of grant of bail vide order dated 1<sup>st</sup> November, 2018. He has remained in custody. The co-accused was also from Rajasthan was granted provisional cash bail for a period of four weeks.

**:- ORDER :-**

- (i) Order dated 1<sup>st</sup> November, 2018 passed by this Court in Criminal Bail Application No.1110 of 2018 is modified by permitting the Applicant to furnish cash security in the sum of Rs.25,000/- for a period of four

weeks to enable the Applicant to furnish surety in accordance with the order dated 1<sup>st</sup> November, 2018.

(ii) The Application is disposed of.

**[PRAKASH D. NAIK, J.]**