

Anand

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

ANTICIPATORY BAIL APPLICATION NO. 1285 OF 2019

Prakash Ganpat Sankpal

.Applicant

Vs.

The State of Maharashtra & anr.

.Respondents

Mr. Nitesh S. Nevshe, Advocate, for the Applicant

Mr. A. R. Kapadnis, APP, for the Respondent No. 1 – State

Mr. Chetan S. Damre, Advocate, for the Respondent No. 2

CORAM : REVATI MOHITE DERE, J.

DATE : 28.08.2019

P. C.

. As the Applicant has failed to deposit Rs. 7,91,000/- despite giving two Affidavits-cum-undertakings to this Court, the interim protection granted to the Applicant on 25th June, 2019 was vacated vide order dated 20th August, 2019. Learned counsel for the Applicant submits that the Applicant has been arrested and as such, the Application is rendered infructuous.

2. It is made clear that the Applicant shall not be permitted to withdraw the amount of Rs. 6,00,000/- deposited by him in the Registry of this Court, as recorded in order dated 1st July, 2019, till the conclusion of the trial.

3. The Respondent No. 2 is at liberty to file an Application for

withdrawal of the said amount, which Application will be decided on its own merits, after hearing the Applicant.

4. The Application is disposed of on the aforesaid terms.

5. Vide order dated 20th August, 2019, notice was issued to the Applicant to show cause why contempt proceedings should not be initiated against him, for breach of the undertakings. Registry to number the said notice as Suo Motu Application.

(REVATI MOHITE DERE, J.)