

Vidya Amin.

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

CRIMINAL APPLICATION No. 812 OF 2018

Narshya @ Narendra Pandurang Mhatre ... Applicant

VS.

The State of Maharashtra ... Respondent

Mr. Sanjeev Kadam a/d. Sneha Bhange, Advocate for the applicant.

Mr. Vinod Chate, APP for the respondent/State.

Mr. DT. Mahadik, API, EOW-II, Navi Mumbai present in the Court.

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: 2nd May, 2019

P.C. :

This Application is moved for relaxation of condition of directing the applicant/accused to deposit the amount of Rs.50,00,000/- in the Court while granting him bail by order dated 28th September, 2017 by the learned Additional Sessions Judge, Raigad-Alibag.

2. The applicant/accused is prosecuted for the offences punishable under sections 420, 465, 467, 468, 471, 474 r/w. 34 of Indian Penal Code in C.R. No. 2 of 2017 registered at Kalamboli Police Station, Raigad-Alibag. The fraud is of amount of more than Rs.20 crores and therefore, the applicant/accused was

directed to deposit the amount of Rs.50,00,000/-

3. The learned counsel appearing for the applicant/accused submitted that the applicant/accused does not have any source of income. The applicant does not have money to deposit Rs.50,00,000/- and he is in jail from the day one the offence was registered, i.e., 2nd January, 2017. The learned counsel submitted that the applicant is ready to deposit Rs.10,00,000/- and condition of depositing Rs.50,00,000/- is to be modified. The learned counsel further pointed out the orders of granting bail to other accused where the condition of Rs.1,00,000/- P.R. Bond and surety of the like amount is imposed.

4. Learned APP opposed the Application.

5. Considered the submissions. Perused the impugned order and other orders. The principal accused was directed to deposit Rs.50,00,000/- by this Court and accordingly, he had deposited and he is out of jail. However, this applicant/accused is inside since 2nd January, 2017 though he was granted bail on 28th September, 2017. In view of this, I think it is appropriate to relax

the condition of depositing the amount from Rs.50,00,000/- to Rs.20,00,000/- and the remaining order is maintained as it is. Out of Rs.20,00,000/-, depositing of Rs.15,00,000/- is a condition precedent for release on bail. On production of receipt of Rs.15,00,000/-, the order of bail will come in operation. The remaining amount of Rs.5,00,000/- is to be deposited on or before 2nd July, 2019.

5. Criminal Application is disposed of.
6. Parties to act on an authenticated copy of this order.

(MRIDULA BHATKAR, J.)