

Anand

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

BAIL APPLICATION NO. 2150 OF 2019

Sahabuddin Abdul Latif @ Tulif .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. N. N. Wadikar i/b. Mr. Nandu V. Pawar, Advocate, for the Applicant
Mr. P. H. Gaikwad-Patil, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 31.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. I-267 of 2017 registered with the Bhiwandi City Police Station, Thane, for the alleged offences punishable under Sections 463, 464, 409, 468, 471 of the Indian Penal Code and under Sections 74(1)(d), 74(1)(e), 74(1)(g), 74(1)(c)(1)(2), 74(4), 74(5) of the Maharashtra Value Added Tax Act, 2002.

3. Learned counsel for the Applicant submits that without prejudice to the Applicant's rights and contentions, the Applicant is

ready to deposit an amount of Rs. 5,94,729/- in the Registry of this Court. The prosecution case is that the Applicant evaded tax liability of Rs. 5,94,729/-, by allegedly submitting forged documents. He submits that there is no question of evading of tax or committing forgery. Learned counsel further submits that the alleged forged documents are with the authorities and hence custodial interrogation of the Applicant is not warranted.

4. Without going into the merits of the Application and in view of the statement made by the learned counsel for the Applicant that the Applicant is ready to deposit Rs. 5,94,729/-, within one week from today, in the Registry of this Court, without prejudice to his rights and contentions, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant be released **on cash bail** in the sum of Rs. 20,000/-, **for a period of six weeks**;

(ii) The Applicant shall within the said period of six weeks, furnish P. R. Bond in the sum of **Rs. 20,000/- with one or two sureties** in the like amount;

(iii) The Applicant shall deposit the said amount of

Rs. 5,94,729/- in the Registry of this Court within one week from today;

(iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. The matter to be listed “*For recording compliance of deposit*” on **08.08.2019**.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)