

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1799 OF 2019**

Brethieef Raju Ganesh Devendar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Ajay Lad i/b Mr. Bhaskar J. Sarwade for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent-State

API Ms. Pallavi Kulkarni from EOW, Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 4th OCTOBER 2019

P.C.

1 Heard learned counsel for the applicant.

2 By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 15 of 2010 registered with the Economic Offences Wing, Mumbai, for the alleged offences punishable under Sections 255, 257, 259, 260, 420, 465, 467, 468, 471, 120B r/w 34 of the Indian Penal Code.

3 On the last date i.e. on 5th September 2019, learned counsel for the applicant had tendered an affidavit of the applicant, which was taken on

record and marked 'X' for identification. In the said affidavit, the applicant, without prejudice to his rights and contentions, had undertaken to deposit Rs. 4,75,000/- in the Registry of this Court in two installments. Learned counsel for the applicant states that the applicant has deposited the entire amount in the Registry of this Court.

4 A perusal of FIR shows that the allegations are essentially as against other co-accused. Infact, the applicant has not even been named in the FIR. According to the prosecution, one of the co-accused deposited an amount of Rs. 4,75,000/- in the applicant's account, which has now been deposited by the applicant in the Registry of this Court, without prejudice to his rights.

5 In the facts, having regard to the role of the applicant, custodial interrogation of the applicant is not warranted. Accordingly, the application is allowed and the interim relief granted on 5th September 2019 stands confirmed on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Office of the Economic Offences Wing, as and when called;

(iii) The applicant to cooperate with the investigating agency.

6 The application is disposed of in the aforesaid terms.

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

REVATI MOHITE DERE, J.