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

BAIL APPLICATION NO.3125 OF 2018

Miss Avantika T. @ Asha Pandurang Thodji

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. M. Moses for the Applicant.

Mr. R.M. Pethe, APP for the State.

Mr. Girish Ramesh Satkar, relative of applicant present in Court.

CORAM : A.S.GADKARI, J.

DATE : 30th April 2019.

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 181 of 2018 dated 28.6.2018 registered with Kopar Khairane Police Station, Navi Mumbai under Section 420, 406, 201 read with 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the chargesheet.

3] The allegation against the applicant is that, she along with principal accused Sajid Khalid Bashir Shaikh represented the witnesses that they will provide them jobs in Oil-Field Companies at abroad and induced

them to part with amount and subsequently defalcated it. The applicant is alleged to be beneficiary of Rs.6,53,000/- out of the total amount involved in the crime.

4] During the course of arguments the learned counsel for the applicant tendered an affidavit dated 27th April 2019 duly affirmed by the applicant before the Jail Superintendent of Mumbai District Women Prison, Bycyllya, Mumbai. In the said affidavit, the applicant has undertaken to deposit an amount of Rs.6,53,000/- in eight weeks after she being released from jail. However, the said statement is not accepted by this Court and therefore the learned counsel for the applicant on instructions from the relative of the applicant who is personally present in the Court, submitted that, the relative of the applicant will deposit Rs.6,53,000/- in the Registry of this Court before actual release of applicant from jail. The said statement is accepted. The affidavit is taken on record and marked "X" for identification.

In view of the statement made by the learned counsel for the applicant on instructions and without going into the merits of the application, the applicant can be released on bail..

Hence the following Order:

i] Applicant be released on bail in CR No. 181 of 2018 registered with Kopar Khairane Police Station, Navi Mumbai, on her furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

ii] After her release from jail, the applicant shall attend all the dates before the Trial Court unless exempted by the concerned Court.

iii] Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] It is made clear that, deposit of Rs.6,53,000/- in the Registry of this Court before actual release of the applicant is a condition precedent.

6] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)