

Dond

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

BAIL APPLICATION NO.3327 OF 2018

Bajirao Balu Patil

..Applicant

Vs

The State of Maharashtra

..Respondents

WITH

BAIL APPLICATION NO.3210 OF 2018

Bhagwant Krushna Buwa

..Applicant

Vs

The State of Maharashtra

..Respondents

Mr. A.M. Saraogi for the Applicant.

Mr. S.S. Hulke, APP for State.

CORAM : A.S.GADKARI, J.

DATE : 24th April 2019.

P.C.:

1] These are applications under Section 439 of Cr. P.C. for bail in CR No. 509 of 2017 dated 5.9.2017 registered with Juhu Police Station, Mumbai under Section 420 read with 34 of the Indian Penal Code

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

3] It is the prosecution case that, the co-accused Vijay Gurav and Mrs. Vaishnavi Gurav were the directors of Samata Co-Operative Credit

Society, situated at Vile Parle (West), Mumbai. The said accused persons lured investors to invest the amount in the said Credit Society with promise to get higher rate of interest and other monetary benefits in that behalf. It is alleged that, the applicants herein have acted as agents in the said process. The first information report is lodged by Shri Sachin Walve. During the course of investigation, the applicants came to be arrested on 4.2.2018. After completion of investigation, the police have submitted the chargesheet.

4] The record indicates that, the applicant Bhagwant K. Buwa is a witness in the transaction and he had acquaintance with the Directors of said Credit Society. It is alleged that he influenced the investors to invest their amounts with the said Credit Society and assured that, they will get better monetary benefits. Same role is attributed to the applicant Bajirao B. Patil. That the present applicants have signed the Memorandum of Understanding between the said Credit Society and the Investors/depositors as witnesses. Apart from the said role, there is no other overt-act is attributed to them. It is submitted that, the applicants herein are not the beneficiary of proceeds of crime and they only acted as agents and helped investors to approach the said Credit Society. The

investigation of the present crime is completed and the police have submitted chargesheet. No purpose will be served by keeping the applicants in further incarceration and they can be released on bail.

5] Hence the following Order:

i] Applicants be released on bail in CR No. 509 of 2017 registered with Juhu Police Station, Mumbai, on their furnishing PR bond of Rs.15,000/- each with one or two separate local sureties in the like amount.

ii] The applicants shall attend all the dates before the Trial Court unless granted exemption by the concerned Court.

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

6] Both Applications are allowed in the aforesaid terms.

(A.S.GADKARI, J.)