

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Criminal Application (BA) No.532 of 2019
(Rushikesh Dinesh Shahare .vs. State of Maharashtra through PSO PS
Kalmeshwar, Dist. Nagpur.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders.
and Registrar's orders

Mr. R.M. Daga, Advocate for Applicant
Mr. J.Y. Ghurde, APP for Non-applicant/State.

CORAM : Manish Pitale, J.
DATED : July 5, 2019.

By this application, the applicant is seeking bail in respect of FIR registered against him and other accused persons on 06.10.2018 whereby offences under Sections 420, 468 and 471 of the IPC have been registered along with offences under the provisions of the Information Technology Act, 2000 and the Maharashtra Protection of Interest of Depositors Act, 1999.

2. The allegation against the accused persons including the applicant herein is that they had depued innocent investors while working for an entity called Rain Mudra Services. It is the case of the prosecution that investors in large numbers were duped by the applicant and other accused persons.

3. The learned counsel for the applicant has invited attention of this Court to orders granting bail to a Director of the said Rain Mudra Services, a computer

operator and an employee of the same. It is pointed out that since the investigation has been completed and the charge-sheet has been already filed, no purpose would be served by continuing the custody of the applicant.

4. As opposed to this, the learned APP has pointed out that even while granting bail to another employee, this Court had imposed specific condition of depositing amount before the trial Court. On this basis, it is submitted that appropriate conditions may be imposed on the applicant while releasing him on bail.

5. The learned counsel for the applicant has invited attention of this Court to the seizure form wherein it is recorded that certain receipts were found indicating that the applicant has deposited about Rs. 95,000/- in the account of the Company and that, therefore, it is clear that the applicant has shown his *bona fide*.

6. Considering the aforesaid material brought on record, since the investigation is complete and the charge-sheet is already filed, the applicant deserves to be granted bail on certain conditions.

7. Accordingly, this application is allowed. The applicant is directed to be released on bail on the condition that he shall deposit Rs.2,00,000/- (Rs. Two Lakhs) before the trial Court within a period of four weeks from today. Upon deposit of such amount before the trial Court, the applicant shall be released on bail on

furnishing P.R. Bond of Rs.50,000/- with a surety in the like amount. The applicant shall report to the Crime Branch, Economic Cell, Nagpur (Gramin) twice every month i.e. on 10th and 25th of each month during the pendency of the trial. The applicant shall also attend the trial before the trial Court on each and every date of the trial. The application is allowed in the above terms.

JUDGE

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