

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.1028 OF 2020

**ATUL BABURAO PATIL
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicant : Mr. N.L. Choudhari
APP for Respondent/State: Mr. P.G. Borade

...

**WITH
ANTICIPATORY BAIL APPLICATION NO.1043 OF 2020**

**GAJENDRA ONKAR KANADE
VERSUS
THE STATE OF MAHARASHTRA**

...

Advocate for Applicant : Mr. R.B. Ade
APP for Respondent/State: Mr. P.G. Borade

...

CORAM : MANGESH S. PATIL, J.

DATE : 18.02.2021

PER COURT :

In both these applications, though those have been styled as Application for Anticipatory Bail purportedly under Section 438 of the Code of Criminal Procedure, in fact the applicants seem to be aggrieved and dissatisfied by one of the conditions imposed by the learned Additional Sessions Judge while granting them anticipatory bail, whereby, they were directed to deposit certain amount before a specific date else, it was ordered, that the applications would stand rejected.

2. This Court in ABA No.952/2020 by the judgment and order dated 18.01.2021, in case of co-accused in respect of whom a similar condition is imposed has, for the detailed reasons allowed the Application. Consequently even the present Applications, for the self same reasons deserve to be allowed and are accordingly allowed.

ORDER

- i) Applications stand allowed.
- ii) The ad-interim protection granted by this Court earlier to the applicants vide order dated 05.11.2020 and 06.11.2020 respectively, are hereby confirmed and made absolute. In other words, in the event of arrest of the present applicants in connection with Crime No.527 of 2020 registered with Dhule City Police Station, District Dhule for the offence punishable under Sections 420, 120-B read with Section 34 of the Indian Penal Code, they be released on personal recognizance for an amount of Rs.30,000/- each with two sureties of Rs.15,000/- each.
- iii) The applicants shall not tamper with the evidence of the prosecution in any manner. They should cooperate with the investigation.
- iv) They shall remain present before the Investigating Officer on every Monday between 10.00 a.m. to 2.00 p.m. till further orders.
- v) They shall not indulge in any criminal activity.

(MANGESH S. PATIL, J.)