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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 615 OF 2020
WITH
INTERIM APPLICATION NO.1146 OF 2021
IN
CRIMINAL BAIL APPLICATION NO. 615 OF 2020**

Mohammad Faizal Abdul
Gaffar Kapadia @ Faisal Mohammad
Kapadia

....Applicant.

V/s

The State of Maharashtra

.....Respondent

Mr. Raja Thakare a/w Mr. Akash Kavade for the Applicant in BA and
IA.

Mrs. J. S. Lohokare, APP for the Respondent/State.

CORAM: NITIN W. SAMBRE, J.

DATE: NOVEMBER 26, 2021

P.C.:-

1] Pursuant to last orders passed by this Court on 14th October, 2021 and 27th October, 2021, learned APP on instructions informs that proposal for issuing Notification/proclamation for sale of the attached property of the Applicant under M.P.I.D. Act is under process with the State Government and same is likely to take some time.

2] In the aforesaid backdrop, it is directed that the said proposal be

decided with 12 weeks from today.

3] Fact remains that Applicant was arrested on 27th October, 2019 and has suffered incarceration for last more than two years. The offence is punishable with imprisonment for seven years. As the amount involved in the crime is already secured by attaching the property of the Applicant which he has consented to be sold under the provisions of M.P.I.D. Act, in my opinion, case for grant of bail is made out.

4] Applicant is directed to be released on bail in C.C. No.495/PW/2020 pending on the file of Learned Magistrate, 67th Court, Borivali, pertaining to C.R. No.500 of 2018 registered with Goregaon Police Station for the offence punishable under Sections 406, 420, 409 read with Section 34 of the IPC, on executing P. R. Bond in the sum of Rs 25,000/- with one or two local sureties in the like amount. Applicant shall neither directly or indirectly try to influence the prosecution witnesses nor tamper with the evidence. Applicant shall co-operate with the authority for disposal of the property and shall not create any third party interest in the same till

conclusion of trial but for sale of the same by the authority under the provisions of MPID Act. Applicant shall attend the Investigating Officer in the first week of English Calendar month between 10.00 A.M. and 2.00 P.M. till the property is disposed of under the provisions of MPID Act so as to secure the interest of depositors.

5] Application is disposed of. In view of disposal of Application, pending Interim Application taken out therein also stands disposed of.

(**NTIN W. SAMBRE, J.)**