

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

**CRIMINAL APPLICATION NO.1040 OF 2019
IN
BAIL APPLICATION NO.2674 OF 2018**

Jayesh Mansukhlal Parekh .. Applicant

Vs.

The State Of Maharashtra .. Respondent

Mr. Shrikant Rathi i/b Gulab Yadav, Advocate for Applicant.
Mr. S. R. Agarkar, A.P.P. for the State-Respondent.

**CORAM : PRAKASH D. NAIK, J.
DATE : 5th AUGUST, 2021**

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PC.

1. This is an application for withdrawal of the amount of Rs. 50 lakhs deposited in this Court in accordance with order dated 21.11.2018. The receipt of deposit of amount has been annexed to this application. Subsequently application for bail was rejected vide order dated 18.01.2019. It is submitted that the applicant was granted bail by the Supreme Court.

2. Learned counsel for the applicant submitted that while rejecting the application for bail, liberty was granted to the applicant to prefer application for withdrawal of amount deposited in this Court. It is submitted that there were two

applications for bail which were rejected vide order dated 18.01.2019. In respect to the other application for bail viz. Bail Application No.2675 of 2018, the applicant had preferred Criminal Application 1041 of 2019 wherein prayer was made for withdrawal of amount of Rs.20 lakhs deposited in this Court. The said application was allowed vide order dated 22.11.2019 by permitting applicant to withdraw the amount of Rs.20 lakhs deposited in connection with Bail Application No.2675 of 2018. The copy of order dated 22.11.2019 and the order dated 07.01.2020 for speaking to minutes of order dated 22.11.2019 are placed for consideration.

3. Learned APP submitted that the trial has proceeded and the case is due for delivering judgment.

4. In view of the liberty granted to the applicant vide order dated 18.01.2018 and also considering the fact that in the connected application i.e. Criminal Application No. 1041 of 2019 in Bail Application No.2675 of 2018, applicant was permitted to withdraw the deposited amount, present application deserves to be allowed.

ORDER

- (i) Criminal Application No.1040 of 2019 is allowed.
- (ii) The applicant is permitted to withdraw the amount of Rs.50 lakhs deposited in this Court in connection with Bail Application No.2674 of 2018.
- (iii) Application stands disposed of.

(PRAKASH D. NAIK, J.)