

ANTICIPATORY BAIL APPLICATION NO.2355 OF 2021

Jai Shankkar Mudliyar and another	Applicants
versus	
The State of Maharashtra	Respondent

Mr.Vijendra Mishra i/by Ms.Babita Kesherwani for applicant.
Mr.R.M.Pethe, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 30th September 2021

PC :

1. The limited relief sought in this application is that during pendency of the application for anticipatory bail before Sessions Court, interim protection may be granted to the applicant in CR No.919 of 2021 registered with Saki Naka Police Station, Mumbai.

2. Learned counsel for applicants submitted that the allegation against them is that amount of Rs.10 lakh was received by them towards commission for obtaining loan of Rs.10 crores to the complainant. The loan was not made available to the complainant.

3. The applicants have preferred application for anticipatory bail before Sessions Court. The application was listed for hearing on 16th September 2021. It is submitted that the application never reached for hearing and every time it was adjourned. On 16th September 2021 the application was adjourned to 17th September 2021. Thereafter it was adjourned to 23rd September 2021 and to 6th October 2021. The application is not heard. It is submitted that the

applicant no.1 is willing to deposit the amount of Rs.9 lakh within stipulated time. Rs.1 lakh was transferred to the account of complainant in July-2021. The applicant no.1 is ready with demand draft of Rs.3 lakh. The applicant no.1 is willing to deposit said amount in Court. The balance amount of Rs.6 lakh would be deposited within a period of four months.

4. In view of the submission, the applicants can be granted interim protection pending their application before Sessions Court. Hence, I pass following order :

ORDER

- (i) In the event of arrest of applicants in CR No.919 of 2021 registered with Saki Naka Police Station, Mumbai, the applicants be released on bail on executing PR bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;
- (ii) The applicant no.1 is permitted to deposit demand draft of Rs.3 lakh before Sessions Court where their application for anticipatory bail is pending;
- (iii) This interim protection shall be in operation till final disposal of anticipatory bail application preferred by applicants before Sessions Court, at Dindoshi;
- (iv) Anticipatory Bail Application is disposed of.

(PRAKASH D. NAIK, J.)

MST