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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2352 OF 2021**

Devanand Somaya Shetty	Applicant.
V/s	
State of Maharashtra	Respondent

**ALONGWITH
INTERIM APPLICATION (ST) NO.15307 OF 2021
IN
ANTICIPATORY BAIL APPLICATION NO. 2352 OF 2021**

Kamlakar Ratnakar Shenoy	 Applicant.
V/s	
State of Maharashtra and Anr.	 Respondents.

Mr. Mandar Limaye for the Applicant in ABA
Mr. J.S. Lohokare, APP for the Respondent/State.
Mr. Chaitanya Pendse for the Intervener in IA.
PSI Santosh Jadhav, Dongri Police Station, Mumbai, present.

CORAM: NITIN W. SAMBRE, J.

DATE: OCTOBER 04, 2021

P.C.:-

1] Applicant is seeking an anticipatory bail in Crime No.55/2021 registered at Dongri Police Station for the offence punishable under Sections 406, 420 of the Indian Penal Code.

2] Learned Counsel for the Applicant on instructions from wife of the Applicant/Accused undertakes to deposit an amount of Rs 20 lakhs within a period of two weeks from today in summary suit Nos. 744 of 2018 and 745 of 2018, pending on the file of City Civil Court, Mumbai. He further undertakes, on instructions, that additional amount of Rs 20 lakhs will be deposited in the very same manner in the very same court in the said suits within a period of four weeks thereafter.

3] Since the above statements are made on instructions, same are accepted as an undertaking to this Court.

4] In view of above, since the amount involved in crime is already secured and such deposit is without prejudice to the rights of the Applicant/Accused in the said summary suits, in my opinion, Applicant deserves to be released on bail.

However, if the above undertaking about deposit of the amount is not complied with within stipulated period, the Application shall stand rejected without further reference to the Court.

5] However, if the order of deposit is complied with then in the event of the arrest of the Applicant in Crime No.55/2021 registered at Dongri Police Station for the offence punishable under Sections 406, 420 of the Indian Penal Code, Applicant be released on bail on furnishing P.R. Bond in the sum of Rs 15,000/- with one or more sureties in the like amount. Applicant shall attend the concerned Investigating Officer as and when directed. Applicant shall neither tamper with the evidence nor try to directly or indirectly influence the prosecution witnesses and the complainant.

6] As a consequence, Interim Application stands disposed of.

(NITIN W. SAMBRE, J.)