

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) 1003 OF 2021

(Nitin s/o. Narayan Keskar..vs.. State, thr PSO, PS Ramdaspath, Akola)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. Ved Deshpande, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.

DATE: 13.10.2021.

Heard.

2. The applicant is arrested by Economic Offences Wing, Akola in Crime 157/2013, registered for offences punishable under sections 406, 409, 420, 468, 470, 471, 472, 120-B of Indian Penal Code, section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999, section 79 of the Information Technology Act, 2000 and sections 58 B, 5 A, 58 E of the Reserve Bank of India Act, 1934.

3. The Crime is registered on the basis of report lodged in the year 2013. The prosecution claims that the applicant could be arrested only on 26.3.2021, and

therefore, supplementary chargesheet is filed.

4. Several offences are registered across the length and breadth of Vidarbha region concerning the alleged financial fraud committed by the Directors of Shrisurya Investment Corporation and its employees, agents etc, who according to the prosecution, induced the gullible investors to park their hard earned money in the company, only to be left high and dry. The applicant is also facing such prosecutions at Amravati and Nagpur. The learned counsel for the applicant Mr. Ved Deshpande points out that the applicant is granted bail in crimes registered at Amravati and Nagpur and he is regularly attending Court hearings, and therefore, it is inconceivable that he could not be arrested in the crime registered at Akola in the year 2013, till March 2021.

5. Be that as it may, this Court has released the main accused Samir Joshi on bail in the crime registered at Khadan Police Station, Akola and Pratap Nagar Police Station, Nagpur. In so far as the applicant is concerned,

there is no reason why he should languish in custody, since he is already granted bail in similar offences, and in the present crime, even the supplementary chargesheet is filed.

6. The Application is allowed subject to the following conditions:

(i) The applicant be released on bail in connection with Crime 157/2013, for offences punishable under sections 406, 409, 420, 468, 470, 471, 472, 120-B of Indian Penal Code, section 3 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, section 79 of the Information Technology Act and sections 58 B, 5 A and 58 E of the Reserve Bank of India Act, on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with one solvent surety of the like amount;

(ii) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence;

(iii) The applicant shall not leave the country without the permission of the trial Court.

Judge