

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

CRIMINAL APPLICATION (BA) NO. 1295 OF 2020

(Mangesh Vilas Giradkar ..vs.. State of Maharashtra, through PSO, PS Gadchiroli)
WITH

CRIMINAL APPLICATION (BA) NO. 1285 OF 2020

(Lokesh Marotrao Repade ..vs.. State of Maharashtra, through PSO, PS Gadchiroli)
WITH

CRIMINAL APPLICATION (BA) NO. 291 OF 2021

(Lokesh Marotrao Rehpade ..vs.. State of Maharashtra, through PSO, PS Butibori, Nagpur)
WITH

CRIMINAL APPLICATION (BA) NO. 298 OF 2021

(Mangesh Vilas Giratkar ..vs.. State of Maharashtra, through PSO, PS Butibori, Nagpur)

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

Court's or Judge's orders

Mr. V.N. Morande, Counsel for the applicants,
Mr. N.R. Rode, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 07-10-2021

Considering the nature of the accusations and the prosecution version that adopting identical modus operandi gullible investors from various places including Gujrat, are induced to invest in the company and the cooperative society concerned, and funds are thereafter converted, I am not inclined to grant bail.

2. However, notwithstanding that the prosecution has invoked Section 409 of the Indian Penal Code and conviction may entail severe punishment, the detention cannot be a pre-trial punishment. A statement is made that one of the accused is absconding and the other would be taken in custody on production warrant. Be

that as it may, while I am accepting the prayer of the applicants herein for withdrawal of the applications in view of my disinclination to grant bail, it is made abundantly clear that if the prosecution cannot assure, within the next three months, that the detention will not be open ended and the trial will commence, the entitlement to bail will have to be revisited by this Court. In such an eventuality, the applicants shall be at liberty to approach this Court immediately after the expiry of the next ninety days period.

3. The applications are disposed of, subject to the liberty as prayed.

JUDGE

adgokar