

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.315 OF 2022

1. Narayan Vishwanath Wakle,
Age 46 years, Occu. Agriculture,
R/o. Lasur Station, Taluka Gangapur,
District Aurangabad.
2. Krishnakant Bhagwan Vyavhare,
Age 46 years, Occu. Agriculture,
R/o. Katepimpalgaon, Taluka Gangpur,
District Aurangabad. .. Applicants

Versus

The State of Maharashtra,
(Through Police Station Gangapur) .. Respondent

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Mr. A. S. Bajaj, Advocate instructed by Mr. Ambar S. Barlota and Mr.
Subhash K. Barlota, Advocates for Applicants

Mr. S. B. Naravade, A.P.P. for Respondent / State

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WITH
CRIMINAL APPLICATION NO. 943 OF 2022
IN BA/315/2022

Krishna s/o. Sahebrao Patil Dongaonkar,
Age 44 years, Occu. Agri and Social Work,
R/o. Khadkeshwar, Aurangabad .. Applicant

Versus

1. The State of Maharashtra,
Through Gangapur Police Station,
Taluka Gangapur, District Aurangabad
2. Narayan s/o. Vishwanath Wakale,
Age 46 years, Occu. Agri.,
R/o. Lasur Station, Taluka Gangapur,
District Aurangabad.

3. Krishnakant s/o. Bhagwan Vyavhare,
Age 46 years, Occu. Agri.,
R/o. Katepimpalgaon, Taluka Gangapur,
District Aurangabad .. Respondents

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Mr. V. D. Sapkal, Senior Advocate instructed by Mr. Sandip R.
Sapkal, Advocate for applicant/complainant

Mr. S. B. Naravade, A.P.P. for Respondent / State

Mr. A. S. Bajaj, Advocate instructed by Mr. Ambar S. Barlota and Mr.
Subhash K. Barlota, Advocates for Respondents No. 2 and 3

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CORAM : S.G. MEHARE, J.

DATE : 01-07-2022

PER COURT :-

1. Heard Mr. A. S. Bajaj, the learned counsel for the applicants,
Mr. S. B. Naravade, the learned A.P.P. for the respondent/State and
Mr. V. D. Sapkal, the learned senior counsel for the complainant.

2. Mr. Sapkal, learned senior counsel, has filed Application No.
943 of 2022 for intervention in Bail Application No. 315 of 2022,
seeking leave of this Court to assist the learned Public Prosecutor /
APP at the time of the hearing and also allow him to address this
Court on behalf of the complainant.

3. Mr. Bajaj, learned counsel for the applicants, raised a serious
objection that once permission is sought to assist the Public

Prosecutor, the counsel cannot address the Court.

4. Mr. Sapkal, the learned senior counsel, has referred to the order of this Court passed in the case of *Vinay Poddar Versus State of Maharashtra, 2009 All M.R. (Cri) 687* **and** *Kashinath Jayram Shetye Versus Ramakant Mahadev Sawant and others, 2013 All M. R. (Cri) 861*. He would point out that even the informant is entitled to make oral submissions while opposing the bail application.

5. He would point out that a similar objection was raised by Mr. Bajaj, learned counsel while hearing the anticipatory bail application. However, the law is clear that the informant has a right to address the Court. This Court has consistently taken the same view, and the informant is allowed to address the Court.

6. In view of the ratio laid down in the case of *Vinay Poddar* and *Kashinath Jayrabjectionm Shetye (supra)*, this Court does not find substance in the objection raised by the learned counsel Mr. Bajaj that the counsel, requesting the Court to assist the Public Prosecutor cannot address the Court. Therefore, Mr. Sapkal, the learned senior counsel for the original informant, is allowed to address the Court. Criminal Application No. 943 of 2022 is allowed.

7. Before advertng to the rival contentions of the parties, it would be appropriate to appreciate the law on Section 439 of the

Code of Criminal Procedure ("Cr.P.C.", in short).

8. Mr. Bajaj, learned counsel for the applicants, would rely on the case of *Sanjay Chandra Versus Central Bureau of Investigation and additional petitioners Vinod Goenka and others*, A.I.R. 2012 Supreme Court 830, and referred to paragraph No. **28** of the said judgment. He has vehemently argued that the object of bail is neither punitive nor preventative. Deprivation of liberty must be considered a punishment unless it can be required to ensure that an accused person will stand his trial when called upon. The Courts owe more than verbal respect to the principle that punishment begins after conviction and that every man is deemed to be innocent until duly tried and found guilty. The learned counsel read paragraph No. 14 from the said judgment. The principle that every man shall be considered innocent until he is found guilty is the settled principle for considering the bail application. However, he has referred to paragraph No. 16, wherein, the case of *State of Rajasthan Versus Balchand*, (1977) 4 SCC 308, has been referred to in paragraph No. 3 of the said Judgment, which has been extracted in the case of *Vinod Goenka* and would point out that the gravity of the offence involved is likely to induce the petitioner to avoid the course of justice and must weigh with us with considering the question of jail. In sum and substance, the gist of the observations in the above cases was that while considering the bail application, the heinousness of the crime, the social circumstances, etc., should be considered.

9. In paragraph No. 24 of the said judgment, *State of U.P. Versus Amarmani Tripathi*, (2005) 8 S.C.C. 21 has also been reproduced in paragraph no. 18 of the said judgment is extracted which read thus,

"18. It is well settled that the matters to be considered in an application for bail are (i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence; (ii) nature and gravity of the charge; (iii) severity of the punishment in the event of conviction; (iv) danger of the accused absconding or fleeing, if released on bail; (v) character, behaviour, means, position and standing of the accused; (vi) likelihood of the offence being repeated; (vii) reasonable apprehension of the witnesses being tampered with; and (viii) danger, of course, of justice being thwarted by grant of bail [see Prahlad Singh Bhati v. N.C.T., Delhi (A.I.R. 2002 SC 1444) and Gurcharan Singh v. State (Delhi Admn.) (A.I.R. 1978 SC 179)]. While a vague allegation that the accused may tamper with the evidence or witnesses may not be a ground to refuse bail, if the accused is of such character that his mere presence at large would intimidate the witnesses or if there is material to show that he will use his liberty to subvert justice or tamper with the evidence, then bail will be refused. We may also refer to the following principles relating to grant or refusal of bail stated in Kalyan Chandra Sarkar v. Rajesh Ranjan, (A.I.R. 2004 SC 1866) (S.C.C. pp. 535-36, para 11)

"11. The law in regard to grant or refusal of bail is very well settled. The Court granting bail should exercise its discretion in a judicious manner and not as a matter of

course. Though at the stage of granting bail a detailed examination of evidence and elaborate documentation of the merit of the case need not be undertaken, there is a need to indicate in such orders reasons for prima facie concluding why bail was being granted particularly where the accused is charged of having committed a serious offence. Any order devoid of such reasons would suffer from non-application of mind. It is also necessary for the Court granting bail to consider among other circumstances, the following factors also before granting bail; they are:

(a) The nature of accusation and the severity of punishment in case of conviction and the nature of supporting evidence.

(b) Reasonable apprehension of tampering with the witness or apprehension of threat to the complainant.

(c) Prima facie satisfaction of the Court in support of the charge. (See Ram Govind Upadhyay v. Sudarshan Singh and Puran v. Rambilas.)"

10. Further, Mr. Bajaj, learned counsel, relied on the case of *Dataram Singh Versus State of Uttar Pradesh and another*, (2018) 3 S.C.C.22. The Hon'ble Apex Court in the said case has observed that a human attitude is required to be adopted by a Judge while dealing with an application for remanding a suspect or an accused person to police custody or judicial custody. There are several reasons for this,

including maintaining the dignity of an accused person, howsoever poor that person might be, the requirements of Article 21 of the Constitution and the fact that there is enormous overcrowding in prisons, leading to social and other problems as noticed by the Supreme Court in *Inhuman Conditions in 1382 Prisons, In re, (2017) 10 SCC 658*.

11. Mr. Sapkal, the learned senior counsel for the complainant, pointed out paragraph No. 6 from the judgment of Dataram cited supra, that the grant or refusal of bail is entirely within the discretion of the Judge hearing the matter, and though that discretion is unfettered, it must be exercised judiciously and in a humane manner and compassionately. Mr. Bajaj, the learned counsel for the applicants, has fairly conceded that the rule of bail is not absolute; it is always subject to the gravity and nature of the offence, the possibility of tampering with the witness, etc. are the factors to be considered.

12. Mr. Bajaj, the learned counsel for the applicants, also relied on the case *Rajinder Singh Versus Central Bureau of Investigation, AIR ONLINE 2019 SC 888* and argued that where there are no criminal antecedents to the discredit of the applicant/accused, normally, the bail shall be granted to such an accused. Further, he relied on *Aman Preet Singh Versus C.B.I. Through Director, AIR ONLINE 2021 SC 689* and argued that the purpose of keeping the applicant behind the bar is

not fruitful, then the Court should take a liberal view to release the accused on bail.

13. In the case of **Amar Mani Tripathi** (supra), the Hon'ble Apex Court has laid down the factors to be considered in the application for bail. Reasonable apprehension of the witnesses being tampered with is one of the grounds to be considered by the Court while considering the bail application. Undoubtedly, the vague allegations of tampering with the evidence of the witnesses may not be considered. However, if there is material to show that the applicants may use liberty to tamper with the prosecution witnesses, then bail may be refused.

14. Mr. Sapkal, the learned senior counsel for the complainant, has vehemently argued by way of reply that none of the cases cited by the applicants is applicable to the facts of the present case simply for the reason that in either of the case, there were no charges of serious offences like punishable under Sections 472 and 478 of the Indian Penal Code ("I.P.C."). However, he relied on the case of *Nimmagadda Prasad Versus Central Bureau of Investigation, (2013) A.I.R. (SC) 2821*, which is also relied upon by the learned A.P.P. and vehemently argued that though it appears on the face of the record that the offence under the I.P.C. However, after going through the charge sheet, it appears that the Chairman and the Directors of the Sugar Factory were involved in money laundering, and they have committed the offence under the Maharashtra

Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (M.P.I.D. Act).

15. Mr. Bajaj, the learned counsel for the applicants by reply, has vehemently argued that whatsoever observations recorded by this Court in Anticipatory Bail Applications No. 1221 and 1227 of 2020 shall not influence this Court as the present application is filed for regular bail after filing the charge sheet. So, the material collected by the Investigating Officer is for consideration of this Court. That apart, whatever adverse observations recorded by this Court in the above anticipatory bail applications were mainly against the other coaccused and not these applicants. In short, he wanted to argue that the present application should be decided without considering the earlier observations made by this Court while considering the anticipatory bail application.

16. The powers under Section 439 of the Cr.P.C. are discretionary whether to admit an accused on bail or not. Law is settled that the Court shall exercise such discretion judiciously. Under Section 439 of the Cr.P.C., all the combined circumstances must be believed by the Court in every such case. The gravity and seriousness of the offences are also factors to be considered. The principle underlying Section 439 of the Cr.P.C. is that the Court would also bear in mind the post effect of releasing the accused, particularly the influence of the person seeking bail and tampering with the

evidence at his hand or under his direction. Therefore, the character of the accused and his background plays a vital role, and that may be one of the factors to be considered by the Court.

17. The material before the Court, while dealing with the application under Section 438 of the Cr.P.C., is normally limited compared to the material after the charge sheet. After the charge sheet, both parties have the opportunity to access the evidence and material collected by the Investigating Officer. Both the prosecution and the accused may point out what material is in their favour and how it is to be appreciated. However, there are also limitations the Court, exercising the powers under Section 439 of the Cr.P.C. need not appreciate the evidence as if it is a trial. The Court cannot see the merits and demerits of the evidence collected by the Investigating Officer. However, without considering the merits and demerits, the Court shall appreciate the material collected by the Investigating Officer. These are the broad principles to be born in mind exercising power under Section 439 of the Cr.P.C.

18. Let us now go through the factum of the allegations and the material collected by the Investigating Officer. The applicants have been arrested in Crime No. I-402/2020 registered at Police Station Gangapur Taluka, District Aurangabad, for the offence punishable under Sections 406, 467, 468, 469, 471, 472, 474 read with Section 34 of the I.P.C. The prosecution has a case, that , the Board

of Directors have collected the money in contravention of the provisions of the Maharashtra Cooperative Societies Act, Regulation, and Rules framed thereunder. The appellate Tribunal transferred the money to the factory that was transferee/ paid to the depositors illegally through the power of attorneys. For an unauthorised refund of the money to the depositors, the Chairman and Directors have innovated a novel idea to repay the money to the depositors by transferring the money to the bank accounts of the applicants an unauthorised power of attorneys has been given. The unauthorised resolutions have been passed by the Board of Directors, giving the power of attorneys to the applicants. The applicants and other coaccused have misappropriated the public money and cheated the public.

19. It is not in dispute that the Sugar factory was a sick unit. A bank had proceeded under The Securitisation and Reconstruction of Financial Assets, and Enforcement of Securities Interest Act, 2002 ("The SARFAESI Act", for short) and against the recovery of loan, an auction order was passed against the sugar factory. However, the Sugar factory had challenged the said order before the appellate Tribunal. The appellate Tribunal granted a conditional stay on depositing Rs.9 Crore. Fortunately, the sugar factory succeeded in the said appeal, and the order auctioning the sugar factory was set aside. The money deposited with the Appellate Tribunal for stay was transferred to the factory bank account.

20. The applicants have a case that since the factory was in bad condition and was under an auction, the chairman and directors of the sugar factory appealed to the Members/ shareholders of the sugar factory to contribute as per their capacity to comply with the order of D.R.A.T. In pursuance of the appeal made by the chairman-cum-MLA, around 1050 members have contributed and deposited the money with the sugar factory. The said amount was deposited in the D.R.A.T. The amount of Rs.9 Crore, which was collected from the members of the sugar factory, was agreed to be paid with interest amount aggregating Rs. 15,75,33,382/-.

21. Mr. Bajaj, learned counsel for the applicants, has vehemently argued that there was no limitation in collecting such an amount from the members. They had the bonafide object to protect the sugar factory, and it was the desire of each member of the factory. The members have voluntarily deposited the money. The huge amount worth Rs.15,75,33,338/- was to be returned to the depositors. The interest of the depositors was also required to be protected by refunding their deposits with interest. He argued that when the money was deposited with the factory, a few ill motive persons started activities that the depositors could not get their money refunded. The order of D.A.R.T. was impugned before the Principal seat at Bombay, and its decision was reserved. Hence, to protect the depositor's interest, they had to make a decision to return the depositor's money through the power of

attorney and accordingly, resolution no.849 was passed that a power of attorney is given to the present applicants and one Bhimrao Pandav. It was also decided that the applicants would obtain a power of attorney from the members and agriculturists who have deposited the money. It was further resolved that the said amount should be transferred to the accounts of present applicants and one Bhimrao Bhikaji Pandav. Through them, the amount of the depositors shall be transmitted either through cheque / RTGS / NEFT. In pursuance of the said resolution, the account was opened; however, that account was not in their names but the name of the sugar factory. In pursuance of the said resolution, the disbursement was started, and the amounts were deposited in the accounts of the depositors either by R.T.G.S.or other approved mode of banking. However, when this process was in progress, the complainant moved an application before the Hon'ble Minister of Co-operation, the State of Maharashtra, on 4th November, 2020, praying to stop the illegal disbursement of the amount of Rs.15 Crore 45 Lakhs. The Hon'ble Minister passed the order on the same day and directed the Sugar Commissioner to take immediate action. Therefore, the accounts of the applicants, as well as depositors, have been frozen. The amount of Rs.7 lakh was deposited in the account of applicant – Wakale on 31.05.2011, and on 21.06.2011, the amount of Rs.5 Lakh was transferred to the account of applicant Vyavhare. The transactions were made by

the legally approved banking mode.

22. He has also argued that bare allegations of transfer of amount have been made, but nowhere it is alleged that amount was not refunded to the depositors. He tried to point out that everything was going on very well; nobody had an objection, but only due to the political rivalry, the complainant had raised the objection to the payment to the depositors was stopped. Except for the 15 depositors, the other depositors have categorically stated in their statements that they had executed power of attorney in favour of the applicants. Those who have alleged against the applicants have stated for the first time in 2020. The allegations of fraudulent General Power of Attorney are false. Whatever transactions were done are on record to prove the genuineness of the transactions. He has filed on record the ledger books of the depositors from 2011-2012. Referring to the entries in the ledger book, he would point out that the accounts were maintained in due course of business. Therefore, it cannot be said that it is a created document. These accounts were written in the year 2011-2012. The principal and the interest amounts have been shown separately, and after calculating the interest, the money was refunded to the depositors. He has also argued that before presenting the complaint on 09.11.2020, a report was lodged, but no action was taken. The Investigating Officer has specifically recorded his opinion that since the Auditor was appointed to verify

the factum, no action is required against anybody. However, on 18.11.2020, the complainant filed a complaint suppressing the fact of the appointment of the Auditor. Whatever the witnesses are deposing against the applicants, they are puppets in the hand of the complainant, who is Ex-MLA and Chairman of the sugar factory.

23. As far as the allegations of forging the documents are concerned, he would point out that some reports are in favour of applicants that falsify the allegation of creating fraudulent documents. Referring to each statement and document from the charge sheet, he argued that the prosecution has not doubted that power of attorney or authority letters has been misused. The final audit report also shows that these applicants have done no misappropriation. The entire documentary evidence required for the investigation has also been seized. Nothing is to be recovered and discovered from the applicants. He would argue that notice under section 41 of the Cr.P.C. was issued to the applicants two days before filing the charge sheet, and under the garb of inquiry, the applicants were called and apprehended. The applicants are the breadwinners of their families, and their families depend on them. They have acted as per the resolution passed by the board of directors. He prayed to release them on bail.

24. Per contra, the learned APP would submit that the list of beneficiaries had been prepared by the applicants. It is not part of

the charge sheet. The investigating officer had no opportunity to go through the said documents, which are prepared by the applicants. Hence, he cannot comment on those documents. He has vehemently argued that the so-called resolution is incomplete with no clarification on how these persons will refund the amount to the total investors of 1050 and which applicant will pay or transfer the money to which depositor. The resolution is not clear as regards the power given to the applicants. The depositors had deposited the money directly in the factory account. The board of directors were responsible for refunding the amount, but a novel idea of depositing the money in the accounts of the applicants was invented. There were no reasons to transfer the amount from the factory to the accounts of the applicants and then refund it to the depositors. The applicants have only 248 power of attorneys. If there were no power of attorney from all 1050 depositors, what about the money of the depositors other than those 248 persons. The resolution by which the decision has been taken to transfer money from the factory to the account of the applicants is without obtaining permission or sanction from the authorities appointed under the Maharashtra Co-operative Societies Act. He has referred to those resolutions and argued that the G.P.A.s were prepared on 17.03.2020 before the said resolution. Therefore also G.P.A. were illegal and unauthorised .

25. Referring to page No. 145 of the charge sheet, the learned A.P.P. has vehemently argued that the majority of the depositors denied the execution of power of attorney or they had not deposited the money as stated by the applicants. Thirty witnesses have neither deposited the money nor executed the document. They have stated that the persons belonging to the group of directors of the factory, under the garb of filing the petition for recovering the money, have obtained their signatures, and at the same time, they obtained the signatures of depositors on the blank papers. A vehement argument advanced by the learned A.P.P. is that the resolution was passed during the lockdown when business all over the world was paralysed. Passing such a resolution in such an adverse situation raises doubt about its genuineness. He has referred to the statements of the various witnesses. He has referred to the order passed by the Judge, Co-operative Court, Aurangabad, in which the resolution dated 17.03.2020 and 12.09.2020 were challenged. He has referred to the findings recorded by the learned Judge, Co-operative Court, Aurangabad, who has recorded the finding on the fact and allowed the application partly. The Cooperative Court has stayed the implementation of the said resolutions. He has attached the bank accounts and restrained the account holders from withdrawing the amount lying in the bank accounts. He also directed Bank Managers of the concerned Banks to implement the orders strictly.

The original G.P.A. is to be recovered from the house of Narayan Vishwanath Wakle. He has expressed apprehension of tampering with the prosecution witnesses as the applicants are influential and are supported by powerful leaders. Lastly, he would argue that it is an economic offence; therefore, the bail under such offence must be dealt with strictly, and he relied on the case of **Nimmagadda Prasad** (*supra*). He also added that still, the investigation is going on. There is a possibility of adding more accused who have played an active role from behind the curtain. Considering the gravity of the accused, the illegality committed by the applicants and the possibility of tampering with the prosecution evidence, the application be rejected.

26. Mr. Sapkal, the learned senior counsel for the first informant, has raised an objection to the legality of the resolutions to refund the money. He has argued that if any amount has to be raised by the sugar factory, there must be an agreement with the borrower. There are specific bye-laws for raising such loans. There shall be an agreement with clear terms as envisaged in the law about the terms of the loan and agreed rate of interest. However, without following due process of law, the Board of Directors have given a different rate of interest to the different depositors. In the absence of such agreement, whatsoever amount credited by the depositors shall be a donation only. The donation cannot be refunded. He has referred to the statements of the witnesses and submitted that

these witnesses have categorically stated that the persons belonging to the group of M.L.A. Shri Bamb were wandering in the village. They were obtaining the signatures of the villagers saying that the M.L.A. had deposited the money in their names, and now that amount is to be recovered. This clearly shows money laundering. The applicants and others have invested crores of rupees violating the rules and laws. The refund of money was the responsibility of the factory. He has assailed the practice adopted by the applicants to refunding the money. All the directors are equally responsible as a huge amount is illegally refunded. He has referred to the observations recorded by this Court in the anticipatory bail application cited supra. He has a serious objection that after the Court has recorded the findings that the custodial interrogation of the applicants is necessary on 12.05.2022, notice under Section 41(1) of the Cr.P.C was issued two days before filing the charge sheet. also pointed out that since the investigation officer was under the influence of the M.L.A., a Writ Petition was filed, and the new investigating officer was appointed. However, the influence of the M.L.A. continued. The investigating officer favoured on accused Bhimrao Bhikaji Pandave. He was also served a notice under section 41 of Cr.P.C, but the investigating officer released him instead of arresting him. Considering the gravity of the offence, the notice under Section 41 of Cr.P.C. was not at all required. He has prayed to dismiss the application.

27. It has been provided in the rules and regulations under the Cooperative Societies Act that the factory may raise capital through various sources like placing deposits, raising loans, and overdrafts. It has also been provided therein how the loan should be raised. However, the permission of the sugar Commissionerate or other authorities under the Maharashtra Co-operative Societies Act is obligatory. Admittedly, before collecting deposits from the members, the Board of Directors had not sought the sanction of the competent authority under the Cooperative Societies Act.

28. The dispute has a checkered history. The record reveal that witnesses have deposed that they never deposited the money with the factory but have been shown as depositors. A few of them never executed authority in favour of the applicants. However, the money is transferred to their bank accounts. The complainant has the allegations against the M.L.A that he has deposited the money in the name of depositors without their consent. The fingerprint report also supports that many documents have been created in the names of the witnesses who have never signed the documents. The report submitted under Section 173 of the Cr.P.C., by the Investigating Officer speaks volumes about the role played by various other persons who have not been arraigned as accused. The money has been transferred to the bank accounts of the fake depositors. The prosecution has the evidence that the persons belonging to the group of chairman were going to various

depositors and obtaining their signatures under the garb of filing a petition in the Court for recovery of the amount, but it was misused for the withdrawal of the money invested by the M.L.A. Obtaining the signatures of the depositors believing the applicants show that they had a good influence and impression over such poor depositors. Since the applicants are behind bars, many witnesses dared to state the factum of playing fraud and creating false documents in their names. The complainant has the allegations against the accused and others that they have committed money laundering. The applicants have no explanation under what approved head they had collected the money from the depositors. The acts of the applicants are apparently in violation of the provision of the Maharashtra Co-operative Societies Act and Rules.

29. Considering all the aspects, this Court is of the view that the possibility of influencing and tampering with the prosecution witnesses cannot be ruled out. The offence is serious and grave. Huge public money has been siphoned. Returning the amount to certain depositors would not make the offence mild. The record also reveals that favour is shown to few depositors, giving them a higher rate of interest than the rate prescribed under the cooperative laws. The investment/deposit in the name of fake depositors is a matter of serious concern. The motive of refunding the money to the depositors appears not bonafide. The money

could have been disbursed through the bank of the factory, as it was deposited in the factory bank account. Prima facie evidence is there against the applicants. Hence, for a fair trial, it would not be appropriate to release the applicants on bail. For the above reasons the application stand dismissed.

30. Needless to state, the above observations are prima facie and restricted only to the bail application.

**(S. G. MEHARE)
JUDGE**

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