

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.675 OF 2022

**VINOD WAMANRAO JOGDAND
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Kedar Balbhim R.
APP for Respondent/State : Mr. S.B. Narwade
...

CORAM : S.G. MEHARE, J.

DATED : 29th NOVEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. In the last hearing of the matter, the applicant has expressed the willingness to deposit the amount of his liability. Today, he has submitted an undertaking to deposit Rs.21,29,000/- under protest. He is ready to deposit Rs.5 lacs today before the trial Court and willing to deposit the remaining amount within one month from the date of his release.
3. Learned counsel for the applicant would submit that the tentative liability determined by the complainant side is not the final acceptance; hence, his depositing the above said money subject to the final conclusion as regards the liability to be determined by the competent authority.

4. Learned APP has argued that the final liability has not been decided; however, the application may be considered on parity.

5. The applicant is languishing in jail since 06.01.2022. The material investigation has been completed. The further investigation is also in progress but that may not come in the way to determine the present application. The tentative amount of Rs.21,29,000/- has been determined as a liability against the applicant. He is ready to deposit the amount; however, it appears that since he is behind the bar, it would not be possible for him to make an arrangement for such a huge amount. He has shown his bonafide to the amount of Rs.5 lacs forthwith and remaining amount in one month. The bonafide may be considered, therefore, conditional bail may be granted. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Vinod Wamanrao Jogdand, be released on bail on executing P.B. and S.B. of Rs.1,00,000/- (Rupees one lakh) with one or two solvent surety of Rs.50,000/- (Rupees fifty thousand) each in the like amount in connection with Crime No.162 of 2021, registered at Bhoom Police Station, District Osmanabad for the offence punishable under Sections 409, 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code, on the condition that he shall deposit Rs.5 lacs either by cash or demand draft before the trial

(3)

Court by tomorrow i.e. 30.11.2022 and deposit the remaining amount of Rs.16,29,000/- within a period of one month from the date of his release.

(iii) If the applicant would fail to deposit the remaining amount within the given time, his bail shall be cancelled and shall surrender forthwith before the investigation officer. If he fails to surrender, investigation officer shall arrest him forthwith.

(iv) He shall give his residential address and phone number to investigation officer soon after his release.

(v) It is made clear that in any condition the period of one month shall not be extended.

(vi) The applicant shall attend the trial on every material date.

(S.G. MEHARE, J.)

Mujaheed//