

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

BAIL APPLICATION NO. 888 OF 2022

1. Ganesh Radhakishan Yadav
Age: 41 years, Occu.: Barber & Agri.,
R/o Revgaon, Tq. & Dist. Jalna
2. Dwarkabai Ganesh Yadav
(Bail granted vide order dt. 20/09/2022) ..APPLICANTS

VERSUS

State of Maharashtra ..RESPONDENT

....
Mr. J.M. Murkute, Advocate for applicants
Mr. V.S. Badakh, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 03rd OCTOBER, 2022**

PER COURT :

1. Applicant No.2 – Dwarkabai Ganesh Yadav has been granted bail vide order dated 20th September, 2022.

2. This is an application for bail under Section 439 of Code of Criminal Procedure. Applicant No.1 has been arrested in connection with Crime No. 234 of 2022 registered with Jalna Taluka Police Station, Dist. Jalna for the offences punishable under Sections 420 and 406 read with Section 34 of the Indian Penal Code and under Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

3. Heard. Perused the First Information Report ("F.I.R.") and related police papers.
4. The total amount involved in the crime is Rs.46,34,000/-. The applicants are ready to furnish their land as security for repayment of amount, if any owed to Bhishi members. They are also ready to sell out their land and deposit the amount in Court. The hurdle is Applicant No.1 is behind the bars.
5. In view of the same, I pass the following order :-

ORDER

(I) Applicant No.1 – Ganesh Radhakishan Yadav be released on provisional/temporary bail for a period of three months, in connection with Crime No. 234 of 2022 registered with Jalna Taluka Police Station, Dist. Jalna for the offences punishable under Sections 420 and 406 read with Section 34 of the Indian Penal Code and under Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) He shall deposit a sum of Rs. 40,00,000/- (Rupees Forty Lakhs) in this Court within a period of three months. If he failed to comply with this direction, he shall surrender back to jail.

(IV) He is also directed to furnish an undertaking in this regard first.

(V) Once he furnished such an undertaking to this Court, he be released on bail.

(VI) He shall not tamper with the prosecution evidence.

(VII) Bail application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD