

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

BAIL APPLICATION NO.865 OF 2022

Shaikh Hanif Shaikh Rashid

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. A.K. Bhosle, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent – State, assisted by
Mr. Sachin S. Deshmukh, Advocate for original complainant
.....

WITH

CRIMINAL APPLICATION NO.2035 OF 2022

Shaikh Harun Shaikh Iqbal

... APPLICANT

VERSUS

Shaikh Hanif Shaikh Rashid & anr.

... RESPONDENTS

.....
Mr. Sachin S. Deshmukh, Advocate for applicant
Mr. A.K. Bhosle, Advocate for respondent No.1
Mr. N.T. Bhagat, A.P.P. for respondent No.2 – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 7th SEPTEMBER, 2022.

PER COURT :

Criminal Application No.2035/2022 is allowed.

The original complainant is permitted to assist learned A.P.P.

2. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.70/2022, registered at Savda Police Station, District Jalgaon for the offences punishable under Sections 420, 406, 465, 466, 467, 471, 201, 120-B of the Indian Penal Code.

3. The record prima facie indicates that the applicant had not been in control/ management of the institution during the period in which the alleged misappropriation and offence did take place. According to the learned A.P.P. and learned counsel for the original complainant, the applicant is mastermind thereof. Although he was not officially in picture, his brothers were running the institute on the instructions of the applicant.

4. The learned counsel for the applicant has brought to the notice of this Court copy of remand report, wherein the proposal sent for approval borne the signature of the informant and not of the present applicant.

5. In view of the above, and the fact that on investigation charge sheet has been filed, I am inclined to allow the bail application. Hence the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.70/2022, registered at Savda Police Station, District Jalgaon for the offences punishable under Sections 420, 406, 465, 466, 467, 471, 201, 120-B of the Indian Penal Code on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence.

(R. G. AVACHAT, J.)

fmp/-