

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

BAIL APPLICATION NO. 1178 OF 2022

Santosh Samadhan Jamnik

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. A.K. Bhosle, Advocate for applicant
Mr. N.T. Bhagat, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 19th AUGUST, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 96 of 2017 registered with Bhadgaon Police Station, Dist. Jalgaon for the offences punishable under Sections 406, 420, 465, 468 and 471 read with Section 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The amount involved in this crime is Rs.15,75,000/-. The crime is said to have been committed by three culprits including the present applicant. As per the police papers, the applicant has received a sum of

Rs.50,000/-. Learned A.P.P would submit that the applicant must have shared the booty. To explore the possibility of recovery of some amount, the Court enquired with learned counsel for the applicant whether the applicant would deposit some amount. He readily came around to deposit a sum of Rs.3 lakhs.

4. Since, on investigation charge-sheet has been filed, it will take time for commencement and conclusion of trial. In view of the same, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 96 of 2017 registered with Bhadgaon Police Station, Dist. Jalgaon for the offences punishable under Sections 406, 420, 465, 468 and 471 read with Section 34 of the Indian Penal Code, on 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 deposit Rs.2 lakhs as condition precedent to grant bail and Rs.1 lakh within one month from release on bail. If the entire amount is not deposited, the order granting bail would stand cancelled without reference to the Court.

(IV) If the victim applies to receive the amount, the trial Court may pay the amount ratably, on conditions to be imposed by it.

(V) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD