

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

BAIL APPLICATION NO.1194 OF 2022

Mushtak Shaikh Ishak Shaikh @

Rajendra Gujarati

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.S.S.Thombre, Advocate for applicant

Mr.N.T.Bhagat, APP for respondent

CORAM : R.G. AVACHAT, J.

DATE : OCTOBER 06, 2022

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0066 of 2022 registered with Chalisgaon Road Police Station, Dist.Dhule, for the offences punishable under Sections 409, 406, 420, 120-B read with Section 34 of Indian Penal Code; Section 3 of the Maharashtra Protection of Interest of Depositors Act; and Sections 21, 22 and 23 of the Banning of Unregulated Deposit Schemes Act, 2019.

2. Heard learned counsel appearing for the parties.

3. As per the case of prosecution, the applicant has not personally misappropriated any amount. His criminal liability in the crime is question, is sought to be invoked with the aid of Section 120-B / 34 of Indian Penal Code. On investigation, charge sheet has been filed. It will take time for commencement and conclusion of the trial. The applicant is in jail since 03.07.2022.

4. Considering his role in the alleged offence and the fact that on investigation, charge sheet has been filed, the applicant deserves to be granted bail.

5. In view of the above, the Court is inclined to grant the applicant bail. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0066 of 2022 registered with Chalisgaon Road Police Station, Dist.Dhule, on executing P.R. Bond in the sum of Rs.1,00,000/- (Rupees One Lakh) with one surety in the like amount.

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

[R.G. AVACHAT, J.]

KBP