

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

BAIL APPLICATION NO.1235 OF 2022

Nandkumar s/o Harishchandra Nile ... **APPLICANT**

VERSUS

The State of Maharashtra ... **RESPONDENT**

.....
Mr. A.K. Bhosale, Advocate for applicant
Mr. A.V. Deshmukh, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 20th SEPTEMBER, 2022.

PER COURT :

Heard. 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.102/2022, registered at Daulatabad Police Station, District Aurangabad for the offence punishable under Section 395 of the Indian Penal Code.

2. All the co-accused have been granted bail. There is recovery of stolen goods as well. There is, however, deficiency of goods worth little over Rs.65,000/-. The applicant on his own came around to deposit amount of

Rs.70,000/- with the trial Court. He has been in jail for little over two months. Since all the co-accused have been granted bail, the Court is inclined to grant the applicant bail on condition of depositing the amount of Rs.70,000/-. Hence the order :-

ORDER

(i) The Bail Application is allowed.

(ii) On condition of applicant depositing amount of Rs.40,000/- (Rupees forty thousand) with the trial Court within a period of four weeks from today, the applicant be released on bail in connection with Crime No.102/2022, registered at Daulatabad Police Station, District Aurangabad for the offence punishable under Section 395 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 deposit the balance amount of Rs.30,000/- (Rupees thirty thousand) with the trial Court within a period of four weeks after his release on bail. In case

the remaining amount is not deposited within the stipulated period, the bail granted to the applicant is liable to be cancelled. The amount deposited shall be treated as muddemal.

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

(R. G. AVACHAT, J.)

fmp/-