

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1012 OF 2021**

Asrar Bashir Jahagirdhar .. Applicant
Versus
The State of Maharashtra & Anr. .. Respondents

**WITH
INTERIM APPLICATION NO.2588 OF 2021
IN
BAIL APPLICATION NO.1012 OF 2021**

Jaynish Likesh Shah .. Applicant
Versus
The State of Maharashtra & Anr. .. Respondents

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Mr.Vinod Kashid for the Applicant.
Mr.S.V.Gavand, A.P.P. for the State/Respondent.

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**CORAM: BHARATI DANGRE, J.
DATED : 29th SEPTEMBER, 2022**

P.C:-

1. As undertaken before this Court, applicant-Asrar Bashir Jahagirdar has filed an affidavit sworn before Jailor, Taloja Central Prison on 24/09/2022.

The affidavit is taken on record and marked 'X' for identification. A copy of the said affidavit is also given to the

learned A.P.P. so that it can be retained by the Investigating Officer and copy of the same can be supplied to the complainant.

2. In the affidavit, a following statement is made :-

“4. I say that, from the date of registration of the FIR to till date, I have paid a sum of Rs.15,00,000/- out of the total amount of Rs.45,00,000/- and remaining balance of Rs.30,00,000/- would be deposited in the court within a period of six months from the date of my release.”

3. To show the bonafides, learned counsel for the applicant has tendered a Demand Draft of Rs.5,00,000/- dated 23/09/2022. A photocopy of the Demand Draft is annexed to the affidavit. Let the Demand Draft be deposited by the applicant in the Registry of this Court, either today or by tomorrow.

4. Though the affidavit makes a statement that balance of Rs.30,00,000/- would be deposited within a period of six months from the date of release, as a condition of release, it is directed that the applicant shall deposit Rs.5,00,000/- each month.

Subject to the compliance of the undertaking given in the affidavit, the applicant deserve his release on bail. However, it is made clear that any consecutive default, would result in cancellation of bail. The above order shall be communicated to

the complainant through the Investigating Officer and he is at liberty to bring out an application, seeking withdrawal of the amount, which depending upon the rights and contentions of the parties, shall be duly considered.

Hence, the following order.

: **ORDER** :

- (a) Application is allowed.
- (b) Applicant - Asrar Bashir Jahagirdhar shall be released on bail in connection with C.R.No.448 of 2020 registered with D.N.Nagar Police Station on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

The applicant shall be released on cash bail of Rs.25,000/- for a period of four weeks in lieu of sureties and during the said period, he shall furnish the sureties.
- (c) On being released on bail, the applicant shall deposit Rs.30,00,000/- i.e. Rs.5,00,000/- each month and any consecutive default on his part, would result in cancellation of bail.
- (d) The applicant shall mark his attendance before the concerned police station on first Monday of every month between 10.00 a.m. to 12.00 noon till framing of charge and, thereafter, shall abide by the directions issued by the trial Court.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade

him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

5. In view of the disposal of the application, interim application does not survive and stands disposed off.

(SMT. BHARATI DANGRE, J.)