

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 162 OF 2022

Mr. Mateshwar Rajpat Giri	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Angad R. More for the Applicant.
Mr. N.B. Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 04th MAY, 2022.

P. C. :-

. The Applicant herein has sought release on cash bail of Rs.50,000/- for a period of eight weeks.

2. Heard Mr. Angad More, learned counsel for the Applicant and Mr. N.B. Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The Applicant is arrested in C.R.No.I-545/2021 registered with Nayanagar Police Station, Thane for offences punishable under sections 420, 406 of the Indian Penal Code and sections 3, 4, 5 of The Banning of Unregulated Deposit Schemes Act, 2019.

4. By order dated 13/04/2022, the learned Additional Sessions Judge, Thane granted bail to the Applicant and ordered to release him by furnishing personal bond of Rs.50,000/- with one or two sureties of like amount.

5. The Applicant had filed the Application for modification of the said order as to permit him to furnish provisional cash surety. The said Application has been rejected by the learned Additional Sessions Judge, Thane on the ground that the request for provisional cash bail is made immediately after the bail order without making any attempt to comply with the bail order.

6. Despite the bail order, the Applicant continues languishing in jail for want of surety. Learned counsel for the Applicant states that the Applicant has kept the demand draft of Rs.13,86,000/- ready and the same shall be deposited within two days from the date of this order. Statement accepted. In the light of said statement and in order to enable the Applicant to arrange for the surety, the following order is passed :-

(a) The Applicant is ordered to be released on provisional cash bail in the sum of Rs.50,000/- for a period of four

weeks from the date of this order. During the period of four weeks, the Applicant shall furnish P.R. bonds in the sum of Rs.50,000/- with one or more surety in the like amount.

(b) The Applicant is also directed to deposit an amount of Rs.13,86,000/- as per the undertaking contained in the affidavit dated 29/03/2022.

7. Criminal Application stands disposed of.

8. Parties to act on an authenticated copy of this order.

**PREETI
H JAYANI**

Digitally signed by
PREETI H JAYANI
Date: 2022.05.07
16:54:32 +0530

(SMT. ANUJA PRABHUDESSAI, J.)