

4. Para No. 11 of the affidavit in reply filed by the State reads thus:

“I say that the co-accused No. 1- Pandharinath G. Raut and co-accused No. 2- Nitin R. Khond has already approached this Hon’ble Court vide Bail Application No. 2379 of 2019 and Bail Application No. 2908 of 2019 respectively. I say that this Hon’ble Court vide order date 25th June, 2021 has granted bail to both the co-accused having the similar role in the offence. I say that at the time of granting bail to Mr. Pandharinath G. Raut in Criminal Bail Application No. 2379 of 2019, the wife of Applicant therein has filed affidavit stating that the Applicant there in shall not sell the seized property or claim benefits of fixed deposits amount Rs.18,18,000/- till final disposal of the case. I say that even the wife of the applicant Mr. Nitin R. Khond in the Cr. Bail Application No. 2908 of 2019 has stated on affidavit that she shall pay the EMI regarding the immovable property which are seized by the Investigating Officer in the present crime. Even the accused Mr. Nitin R. Khond has deposited amount Rs.35,00,000/- in this Hon’ble Court to show his bonafide for grant of bail.”

5. The learned counsel for the applicant on instructions submits that applicant is also ready to file undertaking that till the conclusion of trial, he will not create any third party interest in the properties owned by him.

6. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order

is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 332 of 2018 registered at Chaturshrungi police station for the offences punishable under Sections 406, 409, 420, 465, 467, 468, 471, 120-B read with 34 of the Indian Penal Code (IPC) and Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999 (MPID Act) on executing PR bond in the sum of Rs. 50,000/- with one or two sureties in the like amount.

7. The applicant shall file an affidavit/undertaking before the concerned Special MPID Court that till conclusion of trial he will not create any third party interest in properties owned by him i.e., residential flat situated at Pune within seven days from the date of his release.

(N.R. BORKAR, J.)