

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 2569 OF 2022

Ganesh Shivaji Shewale	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Prashant Hagare, Advocate for the Applicant.

Mr. N. B. Patil, APP for the Respondent – State.

Mr. D. S. Pawar, PI, EOW Pune present.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	10th October, 2022.

PER COURT:

1. This is an application for anticipatory bail in C.R. No.40 of 2022 registered with Indapur Police Station for offences punishable under Sections 403, 408, 409, 420, 120-B of Indian Penal Code, 1860.

2. The case of the prosecution is that, the complainant and others had deposited the amount in the Bhis conducted by the accused. The amount was not returned to them. It is not disputed that, the applicant has so far returned the amount of Rs.18,00,000/- to Harshad Bagwan and Rs.6,14,000/- to Santosh Galande. The applicant is supposed to pay Rs.3,00,000/- to Milind Joshi and 1,10,000/- to Rupesh Soni.

3. Learned Advocate for the applicant on instructions submits that, the amount of Rs.3,00,000/- would be directly paid to Milind Joshi and

Rs.1,10,000/- would be paid to Rupesh Soni within a period of four weeks from today. The statement is accepted as an under taking to this Court. The payment is made without prejudice to the defense of applicant during trial.

4. It is also pointed out that, co-accused Dhanajay Kamble and Sanjay Ganbote has been granted pre-arrest bail on the ground that, they have deposited amount vide order dated 21st September, 2022 passed in Anticipatory Bail Application No. 2568 of 2022 and order dated 3rd October, 2022 passed in Anticipatory Bail Application No.1443 of 2022. In the light of the aforesaid facts, this application can be allowed.

ORDER

(i) Criminal Anticipatory Bail Application No. 2569 of 2022 is allowed.

(ii) In the event of arrest of the applicant in connection with C.R. No.40 of 2022 registered with Indapur Police Station, the applicant be released on bail on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer

as and when called for till filing the charge-sheet.

(iv) The applicant shall abide by the statement that the amount would be paid to concerned persons within four weeks from today.

(v) In the event of non-compliance of the undertaking the prosecution, complainant or aggrieved person will be at liberty to prefer an application for cancellation of anticipatory bail application.

(vi) Criminal Anticipatory Bail Application disposed off.

(PRAKASH D. NAIK, J.)