

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

**INTERIM APPLICATION NO.675 OF 2019
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.204 OF 2017**

Sunil Dadaji Deore & Ors. ...Applicants

Vs.

The State of Maharashtra & Anr. ... Respondents

Mr.Niranjan Mundargi i/b Mr.Vikram R. Sutaria for the Applicants.

Mr.S.R. Agarkar, APP for the Respondent-State.

Ms.Seema K. Chopda for Respondent No.3.

CORAM : C.V. BHADANG, J.

DATE : 25 FEBRUARY 2022

P.C.

. This Application is filed for relaxation of Condition No.3 imposed vide order dated 2 February 2017 in Anticipatory Bail Application No.204 of 2017 and for consequent withdrawal of the amount deposited by the Applicant with the Respondent No.3-Credit Society.

2. I have heard the learned counsel for the parties.

3. As a condition for grant of anticipatory bail this Court by order dated 2 February 2017 directed the Applicants to

deposit Rs.5 Lakhs each, with the said society and Applicant Usha Aher to deposited Rs.1 Lakh on or before 24 February 2017.

4. The ground on which the withdrawal is sought is that the Co-operative Authorities in an inquiry under the Maharashtra Co-operative Societies Act have exonerated the Applicants.

5. That in my considered view, cannot be a ground to permit the relaxation of the condition and the consequent withdrawal of the amount, also for the reason that the said order is subject matter of challenge before the Competent Authority. *Prima facie* the civil liability arising out of the alleged irregularities and the criminal liability are distinct.

6. The Criminal Application is accordingly rejected.

C.V. BHADANG, J.