

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.478 OF 2022

Uttam Sitaram Bawanthade

Versus

State of Maharashtra, through P.S.O., P.S. Mul, Dist. Chandrapur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.A. Dhawas, Advocate for the applicant.

Shri T.A. Mirza, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 14/06/2022

1. The applicant is seeking bail in Crime No.498 of 2021, dated 14.10.2021, registered with Police Station Mul, District: Chandrapur, for the offences punishable under Section 409 read with Section 34 of the Indian Penal Code.

2. Shri Dhawas, learned counsel for the applicant submits that after completion of investigation, the charge-sheet has been filed and further custody of the applicant is not necessary. He further argues that presently the applicant is on temporary bail for taking treatment of ailment of cancer.

3. The learned counsel for the applicant states that to show bonafide, the applicant is ready to deposit Rs.5,00,000/- in the trial Court.

4. On the other hand, Shri Mirza, learned APP opposes the present application.

5. I have perused the charge-sheet and also the contents of the First Information Report (FIR).

6. The applicant was arrested on 07.03.2020. However, because of his ailment, he was released on temporary bail vide order dated 24.05.2022 passed by this Court and since then, he is on temporary bail.

7. After completion of investigation, the Investigating Agency has filed the charge-sheet and as such, further custody of the applicant is not necessary. Moreover, the applicant has undertaken to deposit Rs.5,00,000/- to show his bonafide.

8. In that view of the matter and as there is nothing to show that the applicant will not be available for the trial, if he is released on bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.498 of 2021, registered with Police Station Mul, District: Chandrapur, for the offences punishable under Section 409 read with Section 34 of the Indian Penal Code,

on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall deposit Rs.5,00,000/- as per his undertaking, within 15 days before the trial Court and the receipt of the same shall be filed in this case.

Failure to comply with the undertaking to deposit of Rs.5,00,000/-, the bail granted shall stand cancelled.

- d) The applicant shall attend the concerned Police Station as and when his presence is required.
- e) The applicant shall not tamper with the prosecution witnesses.
- f) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]