

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

CRIMINAL APPLICATION (BA) NO.649 OF 2022

(PRAKASH SHYAMSUNDAR SHARMA....VS.. STATE OF MAH. PSO PS DHANTOLI, NAGPUR & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.A.Naik, Advocate for Applicant.
Shri V.A.Thakre, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JULY 14, 2022.

1. Heard.
2. This is an application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0181 of 2019, registered with Police Station, Dhantoli, Nagpur for the offences punishable under Sections 406, 409, 420, 465, 467, 468, 471, 477(A), 120B and 201 of the Indian Penal Code read with Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999 and Section 65, 66(B) of the Information Technology Act, 2000.
3. It is submitted that the applicant has been falsely implicated in the alleged offence as he is noway connected with the alleged offence. It is submitted that the applicant has never availed any loan from any Bank. Therefore, the allegation as to creation of the fake loan account and withdrawal of the huge amount is false and frivolous.

4. It is submitted that the applicant was an employee in the said Bank and except amounts towards his salary he has not received anything more than that. Accordingly, he prays for grant of bail.

5. The learned counsel for the applicant is further claiming parity, as the main accused have already been released on bail.

6. The learned A.P.P. opposed the application.

7. In this case, charge-sheet has been filed after completion of the investigation. Moreover, considering the role attributed to the applicant and his status in the said Bank as an employee, coupled with the fact that some of the co-accused persons, including the main accused, have been released on bail, I am of the opinion that further custody of the applicant is not necessary and he is entitled for bail on parity. In that view of the matter, I pass the following order:

- i) The application is allowed.
- ii) It is directed that the applicant shall be released on bail in connection with Crime No.0181 of 2019, registered with Police Station, Dhantoli, Nagpur for the offences punishable under Sections 406, 409, 420, 465, 467, 468, 471, 477(A), 120B and 201 of the Indian Penal

Code read with Section 3 of the Maharashtra Protection of Interest of Depositors Act, 1999 and Section 65, 66(B) of the Information Technology Act, 2000 on his furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

- iii) The applicant shall not pressurize the prosecution witnesses or tamper with the prosecution evidence.
- iv) The applicant shall attend the trial before the Sessions Court regularly on every date, unless exemption is granted by the Sessions Court.

The Criminal Application is **disposed of** accordingly.

JUDGE

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