

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 BAIL APPLICATION NO.425 OF 2023

SAMADHAN KALYAN SABLE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Bobde Sopan G., Ms. Shital J.
Yadav.
APP for Respondent-State : Mr. S. B. Narwade.
...

CORAM : S. G. MEHARE, J.
DATE : 16.03.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. One of the witness Mohd. Shaha stated in his statement that the applicant and other co-accused took money from him to open a branch of their company. Hence, he paid Rs.2,01,000/-. However, the branch was not opened at its place. The amount was paid to him was spent over the furniture, cabin, table, rent etc. He did not state that the amount was paid or deposited with the financial institution with a attractive promise of double return. An agreement was executed between the Director of the company and the said person wherein he has stated that he was not willing to run the

branch. Therefore, they settled the dispute and the Director of the company issued him a cheque. The applicant was a witness to the said agreement. Considering the allegations made by the said person and discussed above, it appears that it was not the case of deposit by the investor. Be that as it may, the applicant is a student of law and was barely a witness to the agreement. Nothing is to be recovered from him. He is a young boy having no antecedents to his discredit. Considering his role, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SAMADHAN KALYAN SABLE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.225 of 2019, registered by Police Station Mukundwadi, District Aurangabad, for the offences punishable under Sections 120-B, 420, 406, 465, 468, 471, 504, 506 read with Section 34 of the IPC and Section 3 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, on the following conditions :

- (a) The applicant shall not tamper with the prosecution witnesses.
- (b) He shall attend the trial on each and every effective date.

(S. G. MEHARE, J.)

...

vmk/-