

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

BAIL APPLICATION NO.522 OF 2023

SHAIKH AFROZ SHAIKH MINHAZ
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondent/State : Mr. K.S. Patil

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CORAM : S.G. MEHARE, J.
DATED : MARCH 30, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The FIR reveals that the applicant was running the shop of Reliance Jio Company and was handed over the shop and the materials. It is alleged that he misappropriated the property of company. In nutshell, it appears that the FIR has been lodged since the applicant did not return Rs.64,500/- though he promised.
3. The applicant has a case that the articles were handed over to the first informant but only to recover the amount of Rs.64,500/-, the false allegations of stealing other articles have been levelled against him. The FIR reveals that the applicant promised to return Rs.64,500/-, but it seems that he did not returned. Therefore, the applicant's contention appears probable. The applicant has also a case that he has to recover the money from the first informant. His accounts are yet not settled.

(2)

4. In the facts and circumstances of the case and in absence of any recovery from him, the applicant deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Shaikh Afroz Shaikh Minhaz, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.58 of 2019, registered with Ajintha Police Station, District Aurangabad for the offence punishable under Section 406, 420 of the Indian Penal Code, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the concerned police station as and when called on written notice by the investigating officer, till filing the charge sheet.

(S.G. MEHARE, J.)