

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

ANTICIPATORY BAIL APPLICATION NO. 1691 OF 2022

Rajendra Deshrajasing Thakur @ Raja Thakur ..APPLICANT

VERSUS

State of Maharashtra and Another ..RESPONDENTS

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Mr. R.R. Karpe, Advocate for applicant

Mr. A.A. Jagatkar, A.P.P. for respondents

Mr. A.N. Kakade, Advocate for assist to A.P.P.

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CORAM : R.G. AVACHAT, J.

DATED : 20th MARCH, 2023

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No. 446 of 2022 registered with Bhingar Camp Police Station, Dist. Ahmednagar for the offences punishable under Sections 406, 415, 417 and 420 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. The applicant, vide order dated 13th December, 2023, was granted ad-interim anticipatory bail. The applicant, on last occasion, had made a

statement that he would pay the amount involved in the crime i.e. a sum of Rs.11 lacs, to the informant. The applicant has already paid the informant a sum of Rs.5,50,000/-. The applicant is ready to pay the balance amount, subject to the outcome of the criminal case.

4. Learned counsel for the informant submits that a sum of Rs.5,50,000/- was paid to the applicant by R.T.G.S. and remaining amount in cash by raising a loan from a credit society.

5. Learned counsel for the applicant, on instructions from the applicant, who is present in the Court, states that he has no objection if the amount is paid to the informant, provided if the trial Court directed him to pay back the amount, he will abide by the conditions, to which learned counsel for the informant has no objection.

6. In view of above, order dated 13th December, 2022 granting ad-interim anticipatory bail to the applicant is hereby made absolute on condition that the applicant shall pay balance amount of Rs.5,50,000/- (Rupees Five Lacs Fifty Thousand) to the informant by any of the recognized modes of banking within a period of two weeks. The trial Court, if, at the conclusion of trial finds the applicant had in fact repaid the entire amount, may pass appropriate orders which shall necessarily be binding on the

informant. The applicant shall appear before the investigating officer as and when required for the investigating purpose. The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

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