



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 349 OF 2023

ANTOSH DAMODAR BHAGAT	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

for the Applicant/Appellant/Petitioner.
Mr. P. H. Gaikwad, APP for the State.
Ms. Rutuja Ambekar, APP for the State.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 29, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 420, 406, 409, 467, 468, 471 and 120-B of the Indian Penal Code and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, registered vide C.R. No.70 of 2019 with Roha Police Station.
- 3.** The FIR is registered on 10/08/2019 and the applicant

came to be arrested on 28/01/2021. The applicant was working as an agent on a commission basis with the Bijankur Group of Companies. The accusation is that the accused duped the investors. The applicant is stated to be a beneficiary to the tune of Rs.11,00,000/-. The applicant has been in custody for almost 18 months with the possibility of the trial concluding any time soon appears remote.

4. Learned counsel for the applicant, on instructions of the applicant's wife who is present in the Court today, states that the applicant is willing to deposit a sum of Rs.3,00,000/- with the trial Court within a period of 6 months from today. Undertaking to that effect will be filed by the applicant, in this Court, within 2 weeks from the date of the release of the applicant on bail. The statement is accepted.

5. Considering the applicant has been in custody for 18 months and in the facts and circumstances of the present case, the applicant can be enlarged on bail. The investigation is complete and the chargesheet is filed.

There are no criminal antecedents reported against the applicant. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Antosh Damodar Bhagat in connection with C.R. No. 70 of 2019 registered with Roha Police Station shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of the Roha police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the

applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

- 6.** The application is disposed of.

(M. S. KARNIK, J.)