

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

ANTICIPATORY BAIL APPLICATION NO. 819 OF 2022

Digitally
signed by
DIKSHA
DINESH
RANE
Date:
2023.02.03
14:33:29
+0530

Vijay Damodar Bhalerao

..Applicant

VS

The State of Maharashtra

..Respondent

Adv. Sanjay Singh for the Applicant.

Ms. A. A. Takalkar, APP for the State.

PSI Rahul Patil, Powai Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 1, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for pre-arrest bail in respect of C.R.No.531/2021 registered with Powai Police Station, under Section 409 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. By an order dated April 12, 2022 this Court had granted interim protection to the applicant. The order reads thus: -

" This is an Application under section 438 of Cr.P.C. filed by the aforesaid Applicant for pre-arrest bail in C.R.No.531/2021 registered with Powai Police

Station for offences punishable under section 409 of the Indian Penal Code.

2. Heard Mr. Sanjay Singh, learned counsel for the Applicant and Mr. S.H. Yadav, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. It is stated that the Applicant was working as a cashier in Police Department and that he has misappropriated an amount of Rs.5,64,597/-. Mr. Singh, learned counsel for the Applicant states that the Applicant shall deposit 50% of the amount within two weeks and the balance amount within three weeks thereafter.

4. In the light of said statement, the Applicant is granted interim protection.”

4. It is not in dispute that the amount as directed by this Court has been deposited.

5. Learned APP, on instructions, submitted that the applicant has co-operated with the investigation. In my view, the custodial interrogation of the applicant, therefore, is not necessary. The interim order is, therefore, confirmed in the following terms:-

ORDER

(a) In the event of arrest in connection with C.R.No.531/2021 registered with Powai Police Station, the applicant-Vijay Damodar Bhalerao shall be released on bail on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

(b) The applicant shall report to the concerned police station as and when called.

(c) The applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and/or change of residence or mobile details, if any, from time to time.

(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 and shall not tamper with evidence.

6. The application is disposed of.

(M. S. KARNIK, J.)