

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1803 OF 2022**

Hanumant Sambhaji Kemdhare ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Akhilesh Dubey a/w Mr. Uttam Dubey a/w Mr. Suhas Kadu i/b Law
Counsellors for the Applicant.

Mr. V. B. Konde-Deshmukh, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 2 MARCH 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 26 of 2020 registered at Shivaji Nagar Police Station, Pune for the offences punishable under Sections 420, 406, 408, 409, 468, 471, 109, 120-B, 465, 467, 474 r/w. 34 of Indian Penal Code and Sections 3, 4, 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999.

3. According to the prosecution, the present applicant and other co-accused in connivance with each other defrauded the Shivajirao Bhosale Sahakari Bank to the tune of Rs. 496,46,19,130/-. The allegations against

the present applicant appears to be out of said amount of Rs. 496,46,19,130/- he had received an amount of Rs. 50 lakhs.

4. This Court on 14 February 2023 passed the following order:

“1. The learned counsel for the applicant, on instructions, submits that the applicant without prejudice to his rights is willing to deposit amount of Rs.50,00,000/- (Rupees Fifty Lakhs) within two weeks from today. The applicant is permitted to deposit the said amount with Liquidator of the concerned bank.

2. List ton 2 March 2023.”

5. The learned counsel for the applicant submits that pursuant to the above order the applicant has deposited the said amount of Rs.50,00,000/-. The applicant is in jail for about one and half years. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Hanumant Sambhaji Kemdhare be released on bail in Crime No. 26 of 2020 registered at Shivaji Nagar Police Station, Pune for the offences punishable under Sections 420, 406, 408, 409, 468, 471, 109, 120-B, 465, 467, 474 r/w. 34 of Indian Penal Code and Sections 3, 4, 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)

This order is corrected pursuant to the speaking to minutes of the order dated 7 December 2023.