



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

BAIL APPLICATION NO. 1497 OF 2023

APPA NARAYAN SONAWANE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rohan Mahadik a/w Adv. Rachana Karad a/w Adv.
Mekhala More i/b. The Juris Partners for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 15, 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 406, 408, 409, 420, 467, 468, 380, 120B of the Indian Penal Code (hereafter 'IPC' for short) and under Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, ("MPID Act", for short) registered on 13.07.2022 vide C.R. No.170 of 2022 with Deola Police Station, Nashik.

3. The applicant was arrested on 16.07.2022. It is the case of the informant that the applicant was a Cashier working in Bank of Maharashtra. In all there are five accused. The applicant is the accused No.3. The accused Nos.2 and 4 are already enlarged on bail. The total amount in respect of the accusation is Rs.2,41,00,000/-. So far as the present applicant is concerned, from the accusation prima facie it appears that his liability is Rs.1,16,000/-. Briefly stated it is the case of the prosecution that the employees of the Bank of Maharashtra by accepting cash amount to deposit in saving accounts, by accepting cheque in the name of Bank of Maharashtra and thereupon preparing bogus, fabricated FD receipts of the customers showing as a genuine FDRs, thereby cheating various bank customers for wrongful gain for themselves and wrongful loss of bank customers.

4. Learned APP opposed the application for bail.

5. The applicant is in custody for almost one year and two months. The co-accused have been enlarged on bail. Considering the accusations against the applicant his further

custody is not required. Moreover, the daughter of the applicant filed an affidavit on behalf of the applicant which is taken on record and marked as Exhibit 'X'. In the said affidavit the daughter of the applicant undertakes to deposit the amount of Rs.1,16,000/- before the trial Court and/or before this Court within a period of three weeks for securing bail of the present applicant. The affidavit-cum-undertaking is accepted. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Appa Narayan Sonawane in connection with C.R. No.170 of 2022 registered with Deola Police Station, Nashik shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs.25,000/- for a period of six weeks in lieu of surety.

(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.

(f) The applicant shall attend the trial regularly.

(g) The applicant shall abide by the statements made in the affidavit-cum-undertaking.

(h) In case, there is any breach of any of the conditions, it is open for the prosecution to apply for cancellation of bail.

6. The application is disposed of.

(M. S. KARNIK, J.)