

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1923 OF 2023

Yogesh Shivaji Amle ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Tahir Prande a/w. Amani Khan, for the Applicant
Smt. A.A. Takalkar, APP, for the Respondent/State.

CORAM : N. J. JAMADAR, J.
DATE : DECEMBER 21, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. This application is preferred seeking pre-arrest bail in connection with C.R. No.320 of 2023 registered at D.N. Nagar police station for the offences punishable under section 408 read with 34 of Indian penal Code, 1860.
3. By an order dated 17th July, 2023 this Court was persuaded to grant interim bail observing inter alia as under:-

3] The aforesaid crime was registered pursuant to the FIR lodged by the Paresh Malap, the TV Cable Internet Service Provider. The first informant claims that the co-accused - Shahrukh Khan and Pratap Bhanu had collected money from the customers and had misappropriated the same. The Applicant is stated to have been working as a technician. It is alleged that the co-accused had misused the receipt book. There is no prima facie material to indicate that the Applicant had collected money from the customers or that he has misappropriated the money which was due to the complainant.

4. The learned counsel for the applicant submits that pursuant to aforesaid order the applicant has appeared before the investigating officer and cooperated with the investigation.
5. For the reasons which weighed with this Court in granting interim bail and the fact that the applicant has cooperated with the investigation, I am impelled to make the order of interim bail absolute.
6. The order of interim bail dated 17th July, 2023 is made absolute on the terms and conditions incorporated therein.
7. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.
8. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)