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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2569 OF 2022**

Eqbal Husen Jafar ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Mubin Solkar a/w Mr. Mehrosh Shaikh i/b Mr. Aamir Sopariwala for
the Applicant.

Mr. S.S. Hulke, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 7 JANUARY 2023

P.C. :-

This is an application under Section 439 of the Code of Criminal
Procedure for bail.

2. The applicant came to be arrested in Crime No. 321 of 2021
registered at Khed police station for the offences punishable under
Sections 406, 420 with 34 of the Indian Penal Code.

3. The present applicant was introduced to the complainant by his
friends. According to the complainant, the applicant induced him to invest
money in the business of bauxite mining and assured him of good returns.
The complainant has alleged that pursuant to the said inducement during
period from 4 August 2017 to 2 May 2021, he gave Rs. 1,80,69,000/- to
the present applicant to start bauxite mining business. He, however, then

realized that the applicant had defrauded him.

4. *Prima facie*, the dispute between the parties appears to be commercial dispute. The applicant is in jail for more than one year. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant be released on bail in Crime No. 321 of 2021 registered at Khed police station for the offences punishable under Sections 406, 420 with 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)