

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

ANTICIPATORY BAIL APPLICATION NO. 2411 OF 2023

SANTOSH
SUBHASH
KULKARNI

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Rajiv Bapurao Kale ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Shailesh Kharat, for the Applicant.
Mr. R. M. Pethe, APP for the State/Respondent.

CORAM: N. J. JAMADAR, J.
DATED: 29th AUGUST, 2023

ORDER:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No.141 of 2023 registered with Shahupuri Police Station, Satara, for the offences punishable under Sections 406 and 420 read with Section 34 of the Indian Penal Code, 1860 ("the Code").
3. Mr. Kharat, the learned Counsel for the applicant, at the outset invites the attention of the Court to an order passed by this Court on 10th August, 2023 in ABA/2067/2023 and the connected matters wherein the co-accused, who, according to him, are similarly circumstanced,

and have been directed to be released on bail in the event of their arrest. Mr. Kharat submits that the applicant is not an elected Director of the Society. He has been co-opted as a Director of the society, being a legal practitioner.

4. Mr. Pethe, the learned APP fairly submits that the applicant is similarly situated as the co-accused, who have been extended the dispensation of pre-arrest bail. Hence, I am inclined to allow the application.

5. Hence, the following order:

: O R D E R :

(i) Application stands allowed.

(ii) In the event of arrest of the applicant in connection with CR No.141 of 2023 registered with Shahupuri Police Station, Satara, the applicant be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the first informant or any person acquainted with the facts of the case.

(iv) The applicant shall attend Shahupuri police station on every Sunday in between 10.00 am. to 12.00 noon for the period one month and cooperate with the investigation.

(v) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]