

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2803 OF 2022**

Jugal @ Jatin Chandrakant Shaha ...Applicant

Versus

The State of Maharashtra ...Respondent

**WITH
INTERIM APPLICATION NO. 3567 OF 2022**

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Mr. Nilabh Toshnival a/w Mr. Piyush Toshnival i/b Mr. Gaurav Nankar for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

Mr. Ganesh Gole a/w Mr. Viraj Shelatkar for Intervenor.

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CORAM : N.R. BORKAR, J.

DATED : 27 APRIL 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 157 of 2022 registered at Hatkanangale Police Station, Kolhapur for the offences punishable under Sections 120-B, 420, 406, 409, 417, 504, 506, 507 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the complainant/intervenor.

4. According to the complainant, the applicant and other co-accused, with intent to deceive him, had made him to supply goods worth

Rs.2,67,80,961 to the applicant's partnership firm, on credit, though their intention since inception was not to pay the said amount to him. It is alleged that when he told them to pay the said amount of Rs.2,67,80,961, they not only refused to pay the said amount but also abused him and threatened him to kill.

5. I have perused the First Information Report. Prima facie, the dispute appears to be of civil nature. The applicant is in jail for about ten months. The learned APP submits that the applicant is involved in five more crimes of similar nature. However, considering the overall 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 shall be released on bail in Crime No. 157 of 2022 registered at Hatkanangale Police Station, Kolhapur for the offences punishable under Sections 120-B, 420, 406, 409, 417, 504, 506, 507 r/w 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two local sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.
- (iv) The applicant shall provide his residential address and mobile phone number, if any to the concerned police station.
- (v) Interim Application for intervention stands disposed of.

(N.R. BORKAR, J.)