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

BAIL APPLICATION NO.3051 OF 2023

SANTOSH SHRIPAT DESAI

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rakesh Bhatkar a/w Adv. Mohit Dalvi for the applicant.
Ms. Veera Shinde, APP for the State.
PSI B. Pawar, M.H.B. Colony Police Station, Mumbai.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 27, 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 489-B, 489-E read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 31.05.2023 vide C.R. No.240 of 2023 with M.H.B. Colony Police Station, Mumbai.
- 3.** The date of the incident is 09.05.2023. The applicant was arrested on 30.08.2023. The accusation against the applicant is that he deposited five notes of Rs.100 in his

own account through ATM which are found to be fake notes.

4. Learned counsel for the applicant on instructions submits that the applicant shall co-operate with the investigation.

5. The investigation is in progress. There are no criminal antecedents reported against the applicant. The accusation is that the applicant tried to deposit these notes in his own bank account. Nothing else was recovered from the applicant. Further custody of the applicant in the facts and circumstances of the present case is not required as the applicant does not appear to be a flight risk. He has property in Nalasopara. I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Santosh Shripat Desai in connection with C.R. No.240 of 2023 registered with M.H.B. Colony Police Station, Mumbai 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 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of M.H.B. Colony Police Station, Mumbai once in a week on every Wednesday between 11.00 a.m. and 2.00 p.m. till filing of the charge-sheet.

(e) After filing of the charge-sheet the applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(f) 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.

(g) 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.

(h) The applicant shall deposit his passport with the Investigating Officer. He may apply to the trial Court for return of the passport after the charge-sheet is filed as

according to learned counsel for the applicant he is in the business of tours and travels. The trial Court shall consider the application on its own merits after the charge-sheet is filed.

6. The application is disposed of.

(M. S. KARNIK, J.)