

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

CRIMINAL APPEAL (ST) NO. 24015 OF 2023

Firoj Dastgir Attar ...Appellant

vs.

The State of Maharashtra ...Respondent

Mr. Gaurav Parkar a/w Mr. Shantanu Kadam - Advocate for the Appellant

Mr. S. R. Agarkar - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 22nd DECEMBER, 2023

P. C. :-

1. Heard learned Advocate Shri Parkar assisted by learned Advocate Shri Shantanu Kadam and learned APP. The appellant is accused for committing an offence punishable u/s 408, 409, 420, 467, 468, 471, 120-B read with 34 of IPC, u/s 3(2)(v), 3(2)(vii) of the SC & ST Act, 1989 and u/s 13(1)(c) of Prevention of Corruption Act, 1988 registered at Sadar Bazar Police Station - Solapur. Charge sheet is filed and it is pending for trial.

2. It is true that regular bail application filed below Exh. 480 in Sessions Case No. 39 of 2016 of this Appellant is rejected on 14/12/2023. It is for the reason that he was absconding for almost eight years.(Para no. 6)

3. It is true that this Court has granted regular bail to co-accused Rashid Kasim @ Kashid Tamboli and Anr. in Criminal

Appeal No. 1188 of 2023 on 01/11/2023. Role assigned to the said Appellants and the present Appellant is similar. Appellant is recipient of the financial assistance even though he is ineligible. On parity, the Appellant is entitled for bail. I have read the Order dated 01/11/2023.

4. As he is absconding, strict conditions can be imposed. Hence following Order:-

ORDER

(i) Appeal is allowed.

(ii) Order dated 14th December 2023 is set aside.

(iii) Appellant - Firoj Dastgir Attar in connection with C.R. No. 222 of 2015 registered with Sadar Bazar Police Station for the offence punishable under Sections 408, 409, 420, 467, 468, 471, 120-B read with 34 of the Indian Penal Code and under Sections 3(2)(v) and 3(2)(vii) of the Scheduled Caste and Scheduled Tribes (Prevention of atrocities) Act and under Section 13(1)(c) of the Prevention of Corruption Act, be released on bail on furnishing Personal Bond and Surety Bond in sum of Rs. 50,000/-.

(iv) Applicant is directed to give attendance to the Sadar Bazar Police Station, Solapur on first Monday of every month from 10.00 a.m. to 12.00 noon for one year.

(v) He is directed not to leave Solapur District without permission of the trial Court and not to threaten the prosecution witnesses.

[S. M. MODAK, J.]