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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1471 OF 2024

Amit Jagdish Khattar
Age - 42 years, Occ - Business
R/o Near Post Office,
Talreja Nagar, Jalna

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

.....
Mr. Abhaysinh K. Bhosale, Advocate for the applicant
Mr. R. B. Dhaware, APP for respondent - State
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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 19th SEPTEMBER, 2024

ORDER :

1. Applicant prays for bail in Crime No. 71 of 2023 registered with Osmanpura Police Station, District - Aurangabad for offence punishable under sections 306, 420, 506 read with 34 of the Indian Penal Code.

2. FIR is lodged by Ratnaprabha Gunge, alleging that her son, Mahendrakumar Gunge had invested an amount of Rs.70,00,000/- in the business of applicant. Initially, on the said invested amount profit was given by the applicant. Thereafter, neither profit was given nor invested amount was returned. Applicant introduced Bhanudas Eknath Sonawane to deceased

Mahendrakumar. At that time, Mahendrakumar handed over his car to said Bhanudas on bond. Said Bhanudas demanded Rs.10 lakhs from deceased Mahendrakumar for returning the car. Mahendrakumar committed suicide and it is alleged that the said suicide is abated by applicant, his father Jagdish Khattar and Bhanudas Sonawane.

3. Pursuant to the registration of the crime, applicant came to be arrested on 27th February, 2024 and since then he is in jail.

4. On completion of investigation, chargesheet came to be filed on 23rd April, 2024.

5. Learned APP vehemently opposed the application on the ground that there are criminal antecedents against the applicant and Crime No. 1345 of 2023 is registered at Ram Nagar Police Station, District - Chandrapur for offence punishable under sections 420, 406, 120B, 506 read with 34 of the Indian Penal Code, Crime No. 546 of 2023 is registered with S. B. Jalna Police Station, District - Jalna for offence punishable under section 420, 120B, 465, 467, 468, 471, 406, 506, read with 34 of the Indian Penal Code and under sections 3, 4, and 5 of the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, Crime No. 164 of 2021 is registered with Khultabad Police Station, District - Aurangabad for offence punishable under

sections 395, 397, 307, 120B, 109, 188, 269, 270 of the Indian Penal Code and under section 51 (B) and 34 of Disaster Management Act, and Crime No. 184 of 2023 is registered with Pune City Police Station for offence punishable under section 406, 420, 465, 467, 468, 471, 120B read with 34 of the Indian Penal Code, in which the applicant is arrested and has not been released on bail. Learned APP submits that the applicant seems to be *prima facie* involved in the offence.

6. Learned advocate for the applicant submits that in Crime No. 164 of 2021, registered with Khutabad Police Station, District – Aurangabad, applicant is already released on bail and in other crimes, bail applications filed by him are pending.

7. Since charge sheet is recently filed and the trial is not likely to commence and conclude in the near future, the applicant cannot be kept behind the bars for indefinite period, as no useful purpose would be served by keeping him in jail, pending the trial.

8. In the result, following order:

ORDER

- A. Bail Application is allowed.
- B. Applicant be released on bail, on furnishing Personal Bond and Surety Bond of Rs.50,000/- with one surety in the like

amount in Crime No. 71 of 2023 registered with Osmanpura Police Station, District – Aurangabad.

- C. Applicant shall not tamper prosecution evidence.
- D. It is made clear that the pending bail applications, filed by the applicant in other crimes, shall be decided on their own merits, without being influenced by this order.

[NITIN B. SURYAWANSHI]
JUDGE