



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1435 OF 2024

BALU MARUTI MORE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhijit S. More
APP for Respondent : Ms. P. V. Diggikar
...

WITH
CRIMINAL APPLICATION NO. 3759 OF 2024
IN BA/1435/2024

SANJAY BABAN GHAYATADAK AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant/informant : Mr. Kishor T. Taur
...

CORAM : S. G. MEHARE, J.

DATE : 30-08-2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for the respondent/State and the learned counsel for the complainant.
2. The applicant seeks bail in C.R.No.197 of 2024 registered with Police Station Karjat, for the offences punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. It has been alleged against the applicant that he had accepted deposits from the complainant and others, promised them that amount would be invested in the company and he would repay double the amount invested. However, the applicant could not fulfill his promise. The report was lodged against him.

5. The learned counsel for the applicant argued that the investigation has been done. Necessary papers have been collected. The money was deposited in the bank account of the applicant. It must be presumed that the Investigating Officer must have seized the bank accounts. There is no offence other than Section 420 of the Indian Penal Code.

6. The complainant appeared in the Court and made a statement that he has settled the dispute with the applicant and promise that after his release, he would pay the amount of Rs.10 Lakh. Therefore, he has no objection for granting bail to the applicant.

7. The learned A.P.P. has strongly opposed the application and sought time to take instructions.

8. The Court is not satisfied that the learned A.P.P. require more instructions in the matter. She prayed for imposing the cost, but she could not explain how the cost would be imposed on the applicant. She submits that it is not a solitary transaction with the

applicant. There are other depositors. However, the learned counsel for the applicant pointed out that all four depositors have given consent for bail.

9. In the facts and circumstances of the case, no purpose would be served by keeping the applicant behind bar. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicant - Balu Maruti More be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He should not tamper with the prosecution witnesses.
 - (b) He should attend the trial on each and every date.
 - (c) He should stop the business at the money of others and accept the money from other defaulters.
- iii) Criminal Application No.3759 of 2024 stands disposed of.

**(S. G. MEHARE)
JUDGE**

rrd