

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

CRIMINAL BAIL APPLICATION NO. 1209 OF 2024

Mouiaali Shoukat Mulla ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Amanat N. Mulani, Advocate for Applicant.

Mrs. Priyanka S. Rane, APP for State-Respondent.

Mr. S. N. Suryawanshi, HC, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 25th SEPTEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicants are seeking bail in Crime No. 104 of 2022 registered with Bhilawadi Police Station, Sangli for the offence punishable under Sections 420, 406, 417, 467, 468 and 417 read with Section 34 of the Indian Penal Code, 1860.
- 3) The total amount involved in the present matter is Rs.44,00,000/-. Whereas, during the investigation, the prosecution has seized property of the applicant worth Rs.30,00,000/-.

4) The learned APP has pointed out that the said valuation is tentative. However, the fact remains that a substantive amount is secured because of such seizure of property.

5) The applicant is in jail from last two years and in the meantime, the charge-sheet has been filed. The Investigating Officer during the investigation also seized and recovered the relevant material and now nothing remains to be recovered from the applicant.

6) In the above-referred circumstances, though the learned APP is strongly opposing the application on the ground that there are four similar antecedents, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 104 of 2022 registered with Bhilawadi Police Station, Sangli for the offence punishable under Sections 420, 406, 417, 467, 468 and 417 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall provide his address and name of the nearby police station to the I.O, which he shall attend the said Police Station on 1st day of every month between 12.00 noon to 2.00 p.m., till the conclusion of the trial except on the date of trial;

- v. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- vi. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]