



Darshan Patil

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

**INTERIM APPLICATION NO. 1372 OF 2024
IN
BAIL APPLICATION NO. 2521 OF 2023**

GOKULNATH RAGHU SHETTY .. APPLICANT

VS.

CENTRAL BUREAU OF INVESTIGATION AND ANR. ..RESPONDENTS

**WITH
INTERIM APPLICATION NO. 1373 OF 2024
IN
BAIL APPLICATION NO. 2489 OF 2023**

GOKULNATH RAGHU SHETTY .. APPLICANT

VS.

STATE OF MAHARASHTRA ..RESPONDENT

Adv. Sandeep Karnik for the applicant.

Adv. Kuldeep S. Patil for CBI.

Ms. Megha S. Bajoria, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 5, 2024

P.C. :

1. These are the applications for a grant of provisional cash bail for a period of 8 weeks. By orders dated 15/02/2024, this Court enlarged the applicant on bail in Bail Application Nos. 2521 of 2023 and 2489 of 2023 on furnishing P.R. bond in the sum of Rs.1,00,000/- with one or

more local sureties in the like amount. In paragraph Nos. 4 to 9 of both the Interim Applications, it is submitted thus:

"4. The Applicant states that his wife who is trying to get the surety is unable to find a suitable person who could stand as a surety for him and accordingly the Applicant is not been able to furnish bail bond to the satisfaction of the order passed by this Hon'ble Court.

5. The Applicant states that it is needless to emphasis that the process of getting solvency certificate is a tedious job and the person who has to stand as a surety requires an immovable property standing in his name.

6. The Applicant states that his wife alone is unable to do the needful and convince the people to stand as a surety because of which the Applicant till date has not been able to initiate the process of complying with the surety.

7. The Applicant states that his wife tried to contact various people but after initially showing willingness to stand as a surety most of the people's have subsequently backed out after knowing the tedious and lengthy procedures involved in it and the apprehension about the property been stuck till the end of the trial.

8. The Applicant states that once he comes out he will be able to convince people and would be able to get surety and accordingly the present Application is made seeking provisional cash bail for a period of 8 weeks.

9. The Applicant states that he is in custody for more than 6 years now and continued detention inspite of getting bail order would violate the fundamental rights guaranteed to you."

2. Learned counsel Shri Kuldeep Patil appearing for the respondent-CBI vehemently opposed the applications. It is

submitted that having regard to the gravity of the offence, the facility of cash bail may not be granted.

3. However, the applicant, for the reasons mentioned in the applications, has not been able to find suitable persons who can stand as a surety. This Court has already imposed several conditions to ensure that the applicant stands trial. In my opinion, since it is the question of the personal liberty of the applicant, the request made is reasonable.

4. The applications are allowed in terms of prayer clause (a) and the applicant is permitted to furnish provisional cash bail surety in the sum of Rs. 1,00,000/- for a period of 8 weeks in lieu of surety.

5. Interim applications stand disposed of.

(M. S. KARNIK, J.)