

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2268 OF 2021

Bhaskar Baburao Limbkar	]	Applicant
Vs.		
State of Maharashtra and another	]	Respondents

.....

Mr. Satyavrat Joshi i/b Mr. N.J. Mohite, for Applicant.

Ms. Anamika Malhotra, A.P.P, for Respondents – State.

Mr. D.V. Sutar a/w Ms. Anjali Shaw and Mr. Kiran G. Kulkarni, for Complainant.

Mr. R.B. Kalamkar, P.I, EOW, *Kolhapur* present.

.....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 15th APRIL, 2024.

P.C.

1. The applicant is being prosecuted by Economic Offences Wing, *Kolhapur* in connection with Special M.P.I.D Case No.79 of 2020 arising out of C.R. No.764 of 2018 registered with *Shahupuri* Police Station, District *Kolhapur* for the offences punishable under Sections 120-B, 406, 420 of the Indian Penal Code and Section 3 of The Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act, 1999 (for short “M.P.I.D Act”).

2. Heard Mr. Joshi, learned Counsel for the applicant, Ms. Malhotra, learned A.P.P and Mr. Sutar, learned Counsel for respondent No.2-complainant.
3. Out of twenty three accused so far arrested, eleven have already been released on bail.
4. Learned A.P.P is gracious enough to submit that the prosecution does not have strong objection to grant bail to the applicant in light of the fact that his properties have been attached and some of the accused are still at large.
5. From the earlier orders, it appears that the Investigating Agency is keeping no stone un-turned to nab the absconding accused and to continue further investigation into the matter looking to the enormity of the offence.
6. Though learned Counsel for the complainant objects release of the applicant, yet, in view of the stand taken by the prosecution, I do not see any reason to continue pre-trial detention of the applicant in the judicial custody. Hence, the following order;

: **ORDER** :

- (a) Application is allowed.
- (b) The applicant - Bhaskar Baburao Limbkar be released on executing a P.R bond in the sum of Rs.1,00,000/- with two solvent sureties in the like amount to the satisfaction of the Special Court in connection with Special M.P.I.D Case No.79 of 2020 arising out of C.R. No.764 of 2018 registered with *Shahupuri* Police Station, *Kolhapur*.
- (c) The applicant shall attend EOW, *Kolhapur* on every Monday between 10.00 a.m and 1.00 p.m.
- (d) The applicant shall surrender his passport, if he has, with EOW forthwith.
- (e) The applicant shall not leave the jurisdiction of the Special Court until conclusion of the trial.

(f) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with the evidence.

(g) The applicant shall furnish his permanent address and contact details to the EOW. In case of any change, the same shall be forthwith communicated to the EOW.

(h) The applicant shall not indulge in any offence much less the offences for which he is being prosecuted.

(i) Needless to say that breach of any of the conditions would entitle the prosecution to pray for cancellation of bail.

7. Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]