

accused has been granted bail in the present offence. The charge-sheet has been filed after completion of the evidence.

4. Furthermore, it is evident from the charge-sheet that initially some amount was paid by the applicant to the investors and after some period he failed to return back the amount. The fact that the accused paid some amounts to the investors, prima facie shows that since inception there was no intention of cheating and in that case it is doubtful whether section 420 will apply in this case.

5. The applicant is in jail from last about 10 months and as the investigation is completed, no reason is pointed out why the further custody of the applicant is required.

6. In that view of the matter though the learned APP is strongly opposing the application, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

ORDER

(i) Criminal Bail Application is allowed;

(ii) It is directed that the applicant shall be released on bail in Crime No.431 of 2023, registered with Virar Police Station, Mira Bhayandar, Vasai Virar for the offences punishable under Sections 420 and 34 of the Indian Penal Code and Section 3 and 4 of the Maharashtra Protection Of Interest Of Depositors Act (MPID) Act, on furnishing

PR.Bond of Rupees Fifty Thousand with one solvent surety in the like amount;

iii) 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;

iv) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence;

v) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

7. The application is disposed of.

(ANIL S. KILOR, J)