

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

CRIMINAL BAIL APPLICATION NO. 4214 OF 2024

Santosh Kumar Jayprakash Singh ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Sandip Karnik, Advocate for Applicant.

Mr. P. H. Gaikwad , APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 26th NOVEMBER, 2024

PG:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 294/2020 registered with Boisar Police Station, Dist. Palghar for the offences punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860, Sections 3 and 4 of Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 and Sections 3, 4 and 13 of Maharashtra Ownership of Flats (Regulation of the Promotion of Construction Sale, Management and Transfer) Act 1963.

- 3) In the present matter, the alleged total defrauded amount is Rs. 2 crores and odd. Whereas, the property owned by the applicant in respect of which process of attachment is going on is worth more than Rs. 5 crores.
- 4) Furthermore, the learned counsel for the applicant makes a statement, on instructions, that the applicant undertakes to cooperate Investigating Officer, to complete the process of attachment in respect of two immovable properties namely land admeasuring 1-51-4 HR at Mauje Devloli Budruk Tal. Panvel Dist. Raigad, Gat No. 68B old Survey No. 68/1 and building of Unnati Plaza having ground plus two floors situated at Mauje Dandi-Boisar old survey No. 99/A/1/19 and new survey No. 27/1/65/1/4 admeasuring 1500 sqft. Thus, more than the alleged defrauded amount, the amount is secured.
- 5) In the above referred backdrop, considering the period of incarceration of the applicant which is about four years and the fact that charge-sheet has been filed and relevant record and documents have been seized by the IO and they are in the custody of the IO, I am of the opinion that further custody of the applicant is not required.
- 6) In the circumstances, 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. 294/2020 registered with Boisar Police Station, Dist. Palghar for the offences punishable under Sections 420, 467, 468, 471 read with Section 34 of the Indian Penal Code, 1860, Sections 3 and 4 of Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 and Sections

3, 4 and 13 of Maharashtra Ownership of Flats (Regulation of the Promotion of Construction Sale. Management and Transfer) Act 1963, 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 attend the concerned Police Station on 1st day of every month between 10:00 am and 11:00 am, till conclusion of the trial except on the date of trial and whenever his presence is required in respect of attachment of his properties, the applicant shall remain present.

iv. The applicant shall surrender his passport, if any, to the Investigating Officer.

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.

Application stands **disposed of**, accordingly.

[ANIL S. KILOR, J.]