

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1848 OF 2024

Farooque Adbul Lateef Chapra

.. Applicant

Versus

State Of Maharashtra

.. Respondent

.....

- Mr. Aamir Shaikh, Advocate for Applicant.
- Mr. Hitendra. J. Dedhia, APP for State.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 13, 2025

P. C.:

1. Heard Mr. Shaikh, learned Advocate for Applicant and Mr. Dedhia, learned APP for State.

2. Accused - Applicant has filed the present Application for regular bail in connection with Crime No. I-63 of 2013 registered with Sheel-Daighar Police Station for the offences punishable under Sections 304, 336, 337, 338, 308, 120B, 34, 420, 465, 467, 471, 109 and 119 of the Indian Penal Code, 1860 and under Section 13(1) (d) of the Prevention of Corruption Act, 1988.

3. Applicant was released on bail *vide* order dated 18.06.2015 appended at Page No.30 as Exhibit 'C'. One of the condition stated in the said order was the readiness of Accused-Applicant for depositing amount of Rs.7,50,000/- as condition for grant of bail. On the basis of acceptance of the said statement the

order dated 18.06.2015 was passed. Clause No. (iii) of the operative part of the said order states so. Applicant failed to deposit amount of Rs.7,50,000/-. Since he had not deposited the said amount, by order dated 29.02.2024 bail order was cancelled by this Court, which is appended at page No.44 as Exhibit 'D' to the Application.

4. By way of present Application Applicant has come to the Court stating that due to his weak financial condition he was not in a position to deposit said amount even after his release. The said amount has been deposited on 31.01.2025 in the trial Court. Necessary receipt in Form A is placed before the Court which is dated 10.02.2025, which states that Applicant has deposited Demand Draft bearing No.844101 of PNB Bank dated 31.01.2025 in the trial Court. In that view of the matter learned Advocate prays for grant of bail.

5. Considering the grounds stated in the present Application as also the grounds of merits on which the Applicant was granted bail in the order dated 18.06.2015, I see no impediment as to why the Applicant should not be enlarged on bail. In the interest of justice since the Applicant has shown his *bonafides*, Application stands allowed.

6. Hence, Applicant is released on bail subject to the following terms and conditions:-

- (i) Bail Bond given by the Applicant as stated in the order dated 18.06.2015 is directed to be revived;
- (ii) Applicant shall not contact, meet or approach any of the witnesses in this case, in any manner, whatsoever;
- (iii) Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Sheel-Daighar Police Station, Thane;
- (iv) Applicant to cooperate with the conduct of the trial and attend the trial Court on every date of hearing;
- (v) Applicant shall attend Sheel-Daighar Police Station, Thane once in a month on the first Saturday of every month between 11:00 a.m. to 12:00 noon till the conclusion of the trial;
- (vi) Applicant shall not leave the jurisdiction of Mumbai City, Thane or Navi Mumbai, without the permission of the trial Court;
- (vii) Applicant shall file an undertaking in terms of clause (ii) to (vi) in the trial Court within two weeks of his

release;

(viii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the Applicant's bail.

7. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made herein above in this order.

8. Bail Application is allowed and disposed.

[MILIND N. JADHAV, J.]