

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1165 OF 2025

Prasanjeet Bera

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Mr. Satyaram R. Gaud a/w. Ms. Shikhani Shah, Advocates for Applicant.
- Mr. Rushikesh M. Pethe, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 24, 2025

P.C.:

1. Heard Mr. Gaud, learned Advocate for Applicant and Mr. Pethe, learned APP for Respondent.

2. Applicant is indicted under Section 409 of the Indian Penal Code, 1860. The case of prosecution against Applicant is that sometime in the year 2022, Applicant borrowed a substantial amount to the tune of Rs.60,00,000/- from First Informant under whom he served as an employee in order to start his own business. Learned Advocate for Applicant would also inform the Court that alongwith the amount which he received through RTGS as alleged by the prosecution he has took some amount of silver from the First Informant as stated in the complaint.

3. According to prosecution, Applicant was working under the First Informant since long and he desired to start his own business for

which he indulged in the aforesaid transaction with his employer. The First Information Report is filed in the year 2024. Initially, Applicant was arrested but was granted bail by the Trial Court on 07.06.2024. However, on Application of First Informant before Sessions Court, the bail was cancelled and Applicant was re-arrested in October – 2024 since when he is in incarceration. The thrust of the prosecution case is criminal breach of trust between the parties.

4. Mr. Gaud would persuade the Court to consider the fact that Trial Court had given sufficient reasons to enlarge Applicant on bail considering the case of prosecution. However the same was subsequently cancelled by the Sessions Court. Hence he is before this Court. The learned Prosecutor shall take cognizance of the aforesaid facts narrated by Mr. Gaud and accordingly inform the role of Applicant *qua* the charges levelled against him for the offence. Considering the aforesaid facts, Application of Applicant shall be considered on the next adjourned date.

5. Stand over to **08th April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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