

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 141 OF 2025

IN

CRIMINAL BAIL APPLICATION NO. 2747 OF 2024

Amit Harish Dave

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. Rahul A. Siddiqui for Applicant
- Ms. Rajeshree V. Newton, APP for State
- Mr. Anup Adsule, PC, EOW is present

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2025

P. C.:

1. Heard Mr. Siddiqui, learned Advocate for Applicant and Ms. Newton, learned APP for State.

2. Present Application is filed for seeking release of the Applicant on cash bail and extension of time for furnishing sureties in compliance with the order dated 05.09.2024 passed by this Court. The entire essence of the bail order stands completely defeated if the Applicant is incarcerated despite that order for the past five months. Applicant has come before the Court with a grievance that Applicant has no relatives or friend in Mumbai who can give sureties as directed in the aforesaid order. He would submit that Applicant can be the only person after his release who can manage to convince and get two

sureties as directed in the bail order. He has therefore filed the present Application to persuade the Court to allow him to furnish provisional cash bail for his release and retain the said condition of providing two sureties for sometime to enable him to furnish the sureties. He would submit that after his release from prison, Applicant will be in a position to convince the sureties and arrange to file the same.

3. The grounds stated in the Application as also the delay which is occurred deserves consideration. The idea of granting bail for the reasons which are stated in the order dated 05.09.2024 needs to be seen in later and spirit. The grounds for granting bail persuade me to consider the present Application. Interim Application is therefore allowed in terms of prayer clause (a) subject to the condition that the Applicant is permitted to be released on cash bail of Rs. 1,00,000/- initially. He shall file undertaking within a period of one week from today that he will provide one or two sureties in the like amount of Rs. 1,00,000/- within a period of four weeks after his release from prison which shall be accepted.

4. This order shall be read along with the order dated 05.09.2024.

5. Interim Application stands allowed and disposed.

[MILIND N. JADHAV, J.]