

Amberkar

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

INTERIM APPLICATION (ST) NO. 6713 OF 2025

IN

BAIL APPLICATION NO. 540 OF 2025

WITH

INTERIM APPLICATION (ST) NO. 6715 OF 2025

IN

BAIL APPLICATION NO. 555 OF 2025

Mahaveer Prasad Nagar

.. Applicant

Versus

The State of Maharashtra & Anr.

.. Respondents

.....

- Mr. Akhilesh Dubey a/w Mr. Dharmesh Joshi, Ms. Akshita Vakharia & Mr. Imran Khan for Applicant
- Mr. Sukanta A. Karmakar, APP for Respondent No. 1 - State
- Mr. Kuldeep Patil for Respondent No. 2 - CBI

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 26, 2025

P. C.:

- 1.** Not on board. Mentioned.
- 2.** Heard Mr. Dubey, learned Advocate for Applicant, Mr. Karmakar, learned APP for Respondent No.1 – State and Mr. Patil, learned Advocate for Respondent No. 2 - CBI.
- 3.** Present Interim Applications have been moved urgently today for seeking interim bail as Applicant's daughter aged 36 years passed away on 25.03.2025 at 12.42 pm in Jaipur. Applicant is an accused in both the cases wherein his two Bail Applications are pending. Mr.

Dubey would submit that that being the lone male member in the family, Applicant is required to perform the last rituals as per customs. His wife is alone in Jaipur. Hence, the present Interim Applicants for seeking interim bail to release the Applicant on interim bail on appropriate conditions. The death certificate and hospital report is annexed to the Applications.

4. ***PER CONTRA***, Mr. Karmakar, learned APP and Mr. Patil, learned Advocate for the CBI would submit that if this Court considers the Applications of the Applicant then the fact that Applicant would return back needs to be secured by passing appropriate order. They would in the first instance submit that grant of adequate security and escort alongwith the Applicant would be appropriate in order to ensure that the Applicant would return back. That apart, they would submit that appropriate directions be passed for furnishing substantial cash security which would act as an indemnity for the Applicant so that he will return back including details to be given by the Applicant about his whereabouts to the concerned local police station on day to day basis or alternate day basis so as to ensure that Applicant's release is adequately secured. That apart, they would submit that appropriate directions be passed as deemed fit by the Court against the Applicant.

5. I have perused the Applications with the able assistance Mr. Dubey.

6. This Court in the case of *Kushal Shripal Singh v. State of Maharashtra & Anr*¹ released the Applicant on interim bail in somewhat similar circumstances.

7. In the present case, daughter of the Applicant expired on 25.03.2025 in Jaipur and the Applications have been filed today and moved before this Court for urgent production and circulation and are heard. In that view of the matter, Applications of the Applicant are considered. Applicant is granted interim bail upto 10.04.2025. He shall not pay any escort charges.

8. In view of the above circumstances, as observed, both the Interim Applications are allowed in the following terms:-

- (i) Applicant Mahaveer Prasad Nagar shall be released on interim bail in FIR Nos. RC0592023A0001 & RC0592023A0002 registered with CBI, Special Task Branch, New Delhi from 26.03.2025 to 10.04.2025 upon furnishing a cash surety of Rs. 50,000/- each in both cases with the Trial Court;
- (ii) Applicant shall surrender his passport, if any, before the Investigating Officer;
- (iii) Applicant shall provide the Investigating Officer with his proposed residential address where he will stay

¹ Order dated 08.01.2025 passed in Interim Application No. 93 of 2025

during interim bail and mobile number in Jaipur, Rajasthan and all details of his travel while proceeding to Jaipur or his native place and return for the above reason;

- (iv) Applicant shall surrender to the jail authorities on 10.04.2025 at 06:00 p.m. and during his release he shall report to the concerned local jurisdictional police station in Jaipur, Rajasthan where he will be residing during his release on every alternate date, details of the local police station shall be given by the Advocate for Applicant to the Investigating Officer in the present case within 2 days of the release of Applicant on interim bail; and
- (v) Applicant, himself or through any other person, shall not tamper with the evidence or influence the witnesses.

9. Both the Interim Applications are allowed and disposed of in the above terms.

[MILIND N. JADHAV, J.]

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