

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1152 OF 2022

(DHARMESH JAYANTIBHAI PATEL...VS.. STATE OF MAH. THR. PSO PS PANCHPAOLI, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri C.B.Barve, Adv. h/f. Shri D.V.Chavhan, Advocate for Applicant.
Shri S.D.Sirpurkar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : OCTOBER 07, 2022.

1. Heard.

2. The applicant is seeking bail in Crime No.276 of 2022, registered with Police Station, Panchpaoli, Nagpur for the offences punishable under Sections 406, 409, 420, 120-B, read with Section 34 of the Indian Penal Code, Sections 3, 4 and 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999 and Section 66-D of the Information Technology Act, 2008 read with Sections 4 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978.

3. In this crime, two accused persons out of four have already been released on bail. The role of the applicant and the role of co-accused Santosh Lande are similar and therefore, the applicant is entitled for grant of bail on parity.

4. As far as apprehension expressed by the learned A.P.P. that the applicant is resident of Gujrat and there is a flight risk, I am of the opinion that the said apprehension can be addressed by putting some stringent conditions. Accordingly, I pass the following order:

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.276 of 2022, registered with Police Station, Panchpaoli, Nagpur for the offences punishable under Sections 406, 409, 420, 120-B, read with Section 34 of the Indian Penal Code, Sections 3, 4 and 5 of the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act, 1999, Section 66-D of the Information Technology Act, 2008 read with Sections 4 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 on furnishing P.R.Bond of Rupees Fifty Thousand with two local solvent sureties in the like amount;
- iii) The applicant shall surrender his Passport with the concerned Police Station, till culmination of the trial.

- iv) The applicant shall attend the concerned Police Station on first day of each month between 02:00 p.m. and 03:00 p.m., till culmination of the trial.
- 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 shall not tamper with the evidence;
- vi) The applicant shall attend the trial before the Special Court regularly on every date unless exemption is granted by the Special Court.

The Criminal Application is **disposed of** accordingly.

JUDGE