

MHRG140001732024



R.C.C. 25/2024

Order below Exh. 10

This is an application u/s. 437 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the Cr.P.C.).

2. The accused Hasuram Moreshwar Patil is seeking bail on the ground that he has not committed any offence. He is implicated in the crime. He is ready to co-operate the investigation. He will not flee away from justice. He will not tamper evidence. He is ready to furnish surety as per the order of this Court. He is permanent resident of the address given.

3. The application came to be opposed on the ground that there is cheating and misappropriation of huge amount of Rs. 1,93,00,000/-. The Anticipatory bail application of the accused was rejected. The accused may threat witnesses and tamper evidence. Therefore, application deserves to be rejected.

4. Heard both sides. Learned advocate for the accused has submitted that investigation is complete. Chargesheet is filed. The accused is in jail since one month. He has not misappropriated any amount. On the other hand, learned A.P.P has submitted that huge amount is involved in the commission of offence. Witnesses are close relatives. Therefore, possibility of tampering evidence cannot be ruled out.

5. Perused the record. It is seen that since 05.01.2024, the accused is in jail. Record shows that one car is recovered from the possession of the accused. The chargesheet is filed. The offence is triable by this Court. Trial may take considerable time. No purpose will be served by keeping the accused behind bars. Therefore, the accused is entitled to be released on bail. However, considering apprehension of learned A.P.P., heavy surety and certain conditions need to be imposed. Consequently, I pass following order.

**ORDER**

1. Application is allowed.
2. The accused Hasuram Moreshwar Patil is released on bail on his furnishing P.B. of Rs. 50,000/- along with a solvent surety of like amount.
3. Accused shall not tamper evidence.
4. Accused shall attend each and every date.
5. A soft copy of this bail order be forwarded to applicant/accused through Superintendent, Taloja Jail by e-mail for information in view of observation of the Hon'ble Apex Court in the case of In Re Policy Strategy For Grant of Bail in SMWP (CRIMINAL) No. 4/2021, dated 31.01.2023.

Uran,  
Date : 16.02.2024

(Vikas D. Bade)  
Judicial Magistrate, F.C., Uran