

ORDER BELOW EX. 01 IN CRIMINAL BAIL APPLICATION
NO. 134 OF 2022

{Saharukh Juned Maniyar Vs. The State of Maharashtra through
Mumbai Naka Police Station}

This is an application under section 438 of the Criminal Procedure Code, 1973 for grant of anticipatory bail in crime no. 57 of 2019 registered with Mumbai Naka Police Station under sections 420, 406, 409 and 120B read with 34 of the I. P. C.

02] The applicant contended that false and fabricated case is registered against him. He was just the servant of the main accused. He has not misappropriated the alleged amount. He is young having no criminal antecedent and working in a very good company. He has received only three months salary from the company of the accused. He is ready to abide by any conditions imposed by the court. Hence, he has prayed for grant of anticipatory bail.

03] I. O. filed say at Ex. 07 and APP filed say at Ex. 06. They have stated that the offence is of serious nature. The present accused has participated in the crime with accused no. 1. The amount of misappropriation is to be recovered from him. He might have purchased property from the misappropriation amount. Many people are cheated. His custodial interrogation is necessary. Hence, they have prayed for rejection of bail.

04] Heard the learned counsel for the accused and learned APP. They have argued as per the above stand taken.

05] I have gone through application, say, arguments and Police papers. It appears that the accused was just the Manager of the main accused and was receiving salary of Rs. 10,000/- per month from the main accused. The main role is of the other accused and not of the present accused. He is young and is having good job. He filed his account statement which shows that he received Rs. 10,000/- on

three occasions from Jahan International. He has no criminal antecedent. The FIR also not shows his main role in the crime. Looking to the same, he is entitled for conditional anticipatory bail. Hence, the following order.

ORDER

- 01] Application is partly allowed.
- 02] In the event of arrest, the applicant namely Saharukh Juned Maniyar be released on bail on executing personal bond of Rs. 25,000/- with one or more surety in the likewise amount each in crime no. 57 of 2019 registered with Mumbai Naka Police Station under sections 420, 406, 409 and 120B read with 34 of the I. P. C., to the satisfaction of I. O.
- 03] He shall attend police station on dated 05.02.2022 to 06.02.2022 in between 11.00 a.m. to 02.00 p.m. and help to the Police in investigation and should attend the police station, as and when his attendances is required by the I. O.
- 04] He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer to tamper with the evidence.
- 05] He shall not tamper the prosecution evidence in any manner.
- 06] He shall not leave India without permission of this court.
- 07] He shall not commit similar type of offence.
- 08] He shall furnish his detailed address with proof and his mobile number.
- 09] Inform the concerned Police station accordingly.

Date : 03.02.2022

(R. R. Rathi)
Additional Sessions Judge-5,
Nashik.

