

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.68 OF 2022

Shyamwar Pinturam Rai .. Applicant

Versus

Central Bureau of Investigation, .. Respondents
Special Crime-1 & Anr.

...

Mr.Sumant R. Deshpande for the Applicant.
Mr.D.P.Singh for the Respondent No.1/CBI.
Mr.S.H.Yadav, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 20th AUGUST, 2022

P.C:-

1. Heard the learned counsel for the applicant and learned counsel for the respondent No.1/CBI.
2. Learned counsel for the applicant has placed reliance on the order passed by the Hon'ble Supreme Court in case of *Indrani Pratim Mukerjea* dated 18/05/2022, who is a co-accused in the present C.R. and in which the applicant also faces the accusations.

M.M.Salgaonkar

The Hon'ble Apex Court, by taking note of the long incarceration of the applicant and without commenting on the merits of the case, specifically recorded that it would be detrimental to the interest of the prosecution or the defence, but the factum of long incarceration of 6 ½ years, coupled with the period that is likely to be consumed in conclusion of the trial, was held to be a factor, to release her on bail. Relying on the said order passed by the Hon'ble Supreme Court, another accused-Sanjeev Khanna @ Sanju was also released on bail on 21/06/2022.

3. Learned counsel for the applicant states that the applicant, who also faces accusations in the very same C.R., came to be arrested on 25/08/2015 and since then, he is languishing in jail.

In the wake of the long incarceration of the applicant with the likelihood of the time-line for conclusion of trial, the applicant deserves his release on bail, subject to the same terms and conditions. Hence, the following order.

: ORDER :

(a) Application is allowed.

(b) Applicant - Shyamwar Pinturam Rai shall be released on bail in connection with C.R.No.RC 12(S)/2015/CBI/SC-1/New Delhi registered with Central Bureau of Investigation, Special Crime-1, on furnishing P.R. Bond to the extent of Rs.1,00,000/- with one or two sureties in the like amount.

(c) The applicant 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 the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(d) The applicant shall surrender his passport, if not seized during the course of investigation, and shall not leave India without permission of the CBI Court.

(e) On his release on bail, the applicant shall inform his latest residential address and contact number, and/or change of residence or mobile details, if any, from time to time, to the prosecution as well as CBI Court, in writing.

(f) The applicant shall regularly attend the trial and shall not seek any adjournment on whatsoever count.

(g) If there are two consecutive defaults in appearance before the trial Court or breach of any of the above conditons, the prosecution will be at liberty to apply for cancellation of bail.

(SMT. BHARATI DANGRE, J.)