

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.5832 OF 2009

1	Sambhaji Sitaram Benke	
2	Manohar Abasaheb Bhosale Applicants
	vs	
	The State of Maharashtra	
	(Through Shikrapur Police Station, Pune) Respondent

Mr.Abhaykumar Apte, for the applicants.

Mr.J.P. Kharge, APP for the State.

**CORAM: ANOOP V. MOHTA, J.
(VACATION JUDGE)**

DATE : 30th December, 2009

P.C.:

1 This is an application for anticipatory bail by the applicants as the Additional Sessions Judge, Pune by order dated 21.12.2009 has rejected the same.

2 The alleged offences are under Sections 420 and 406 read with Section 34 of I.P.C. The complaint is lodged by the Education Officer, Pune on 25.11.2009 alleging that the applicants are conducting Classes of 8th and 9th Standard without sanction/approval of the Government. Applicant no.1 is the President and Applicant no.2 is the Secretary of the society.

3 There are documents on record to show that the Society has got a sanction/permission to conduct the classes for 8th and 9th Standard at Alegaon since 2001. For the current session also, the applicants have applied and the

application is pending. The applicants were conducting the classes at some other place than the sanctioned one. Therefore, this complaint.

4 Considering the F.I.R., so lodged and in view of the above, I am inclined to grant anticipatory bail in the event of arrest, on the following conditions:

- (i) In the event of arrest, the applicants be released on bail in the sum of Rs. 10,000/- (Rupees ten thousand) each with two equal sureties in the like amount in connection with C.R. No.264/2009 registered with Shikrapur Police Station, Pune.
- (ii) The applicants shall visit the Shikrapur Police Station, Pune regularly for a period of one week between 3 to 5 p.m. And thereafter twice in a week and/or as and when required and called by the concerned Officer.
- (iii) The applicants shall not influence and interfere with the investigation nor influence anyone in connection with the same.
- (iv) The applicants shall cooperate with the Police during the investigation
- (v) The applicants shall produce and provide all necessary documents and information as required for the investigation.
- (vi) It is made clear that this bail is granted upto the filing of chargesheet and thereafter the applicants to move for regular bail in accordance with law.
- (vii) The parties to act on an ordinary copy of this order duly authenticated by the Senior Private Secretary of this Court.

(ANOOP V. MOHTA, J.)