

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMIAL APPEAL NOS.879-880 OF 2020
(@ out SLP(CRL.) No.6347-6348/2020

SHASHANK BALASAHEB BHAPKAR

APPELLANT(S)

VERSUS

REPUBLIC OF INDIA (CBI)

RESPONDENT(S)

ORDER

Leave granted.

These appeals challenge the judgment and orders dated 01-05-2020 passed by the High Court of Orissa at Cuttack in BLAPL No. 9423/2019 & in IA No. 281/2020.

In connection with S.P.E. Case No.39 of 2014 (Corresponding to R.C.No.44/S/2014 dated 05.06.2014) registered at the instance of CBI in respect of offences punishable under Sections 120/B/420/409 of the IPC read with Sections 4,5 and 6 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, the appellant has been in custody since 20.04.2019. It may be mentioned here that in respect of certain other crimes, the appellant was taken in custody on 01.01.2016 and continues to

be in custody since then. However, in connection with the present matter, his custody has been shown with effect from 20.04.2019.

The application for bail preferred in connection with the aforesaid S.P.E. Case No.39 of 2014 having been rejected, the present appeals have been preferred.

Heard Mr. K. Raghavacharyulu, learned Advocate for the appellant and Mr. K.M. Nataraj, learned ASG for the respondent.

Considering the length of his custody and the nature of crime alleged against the appellant, in our view, the appellant is entitled to the benefit of bail.

We, therefore, allow this appeal and set aside the order passed by the High Court and direct that the appellant shall be produced before the Trial Court within three days from today and the Trial Court shall release him on bail subject to such conditions as the Trial Court may deem appropriate to impose.

While imposing conditions, the Trial Court shall ensure the presence and participation of the appellant in the pending prosecution and that he shall not influence in any manner the course of investigation and prosecution.

The Registry is directed to re-seal the reports submitted by CBI and send them in a sealed cover to the Central Agency.

With the aforesaid observations, the appeals are allowed.

Pending applications, if any, also stand disposed of.

.....J.
[UDAY UMESH LALIT]

.....J.
[VINEET SARAN]

.....J.
[S. RAVINDRA BHAT]

New Delhi,
December 16, 2020

