

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2834 OF 2015.

**MAHENDRA KHANDERAO DESHMUKH
VERSUS
THE STATE OF MAHARASHTRA**

Appearance =>

Mr. Mahesh S. Deshmukh, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 30th June, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.139/2014 registered with Police Station, Mukhed, District – Nanded for the offences punishable under Section/s 409, 419, 420, 462, 463, 468, 471 read with 34 of the Indian Penal Code.

[2] Heard Mr. Mahesh S. Deshmukh, learned counsel for the Applicant and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State of Maharashtra.

[3] Initially the present Applicant was before this court in Criminal Application No.1764 Of 2015. However, his prayer for anticipatory bail was rejected by this court on 5th May, 2015. Initially

the Applicant was in police custody remand and thereafter present Applicant was sent in M.C.R. Investigation in so far as present Applicant is over.

[4] First Information Report is recorded on the basis of order dated 2nd December, 2014 passed by the learned Judicial Magistrate, F.C., Mukhed, in O.M.C.A.No.138/2014 (Balaji Gurunath Karadkhele V/s. Mahendra & Ors.) under Section 156(3) of the Code of Criminal Procedure. The offences for which the present Applicant is charged are solely based the documents and those documents are already seized by the Investigating Officer. Further, while rejecting the application of the present Applicant for anticipatory bail, it has been observed by this court that statement of the witnesses were also recorded by the Investigating Officer. Investigation is almost complete and only formality of filing of the charge sheet is remained to be done. In that view of the matter, further custodial presence of the Applicant is not warranted. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - MAHENDRA KHANDERAO DESHMUKH shall be released on regular bail on he executing P.R. Bond of Rs. 50,000/- [Rs. Fifty Thousand] with one solvent surety in the like amount, in connection with CR No.139/2014 registered with Police Station, Mukhed,

District – Nanded for the offences punishable under Section/s 409, 419, 420, 462, 463, 468, 471 read with 34 of the Indian Penal Code.

(iii) Bail before trial court.

(iv) The Applicant shall not influence the prosecution case, by adopting the tactics.

(v) The Applicant shall attend Police Station, Mukhed, District – Nanded once in fortnight, preferably on every Sunday between 3.00 p.m. to 5.00 p.m., till charge is framed.

(vi) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)