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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.5377 OF 2015

Avinash s/o Vijay Patil

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr V.D. Sapkal, Advocate holding for Mr L.S. Mahajan, Advocate for applicant;

Mr A.V. Deshmukh, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 17th December, 2015

ORAL ORDER :

By the present application, the applicant seeks his release on bail, in the event of arrest, in connection with C.R. No.189 of 2015, registered with Dhule City Police Station, for offences punishable under sections 420, 417, 419, 465, 466, 468, 471, 474 read with sec. 34 of the Indian Penal Code and section 15 of the Motor Vehicles Act.

2. The applicant is a public servant, working as Divisional Controller with the Maharashtra State Road Transport Corporation.

3. Perused the contents of the first information report.

4. It is not in dispute that the other accused who are similarly placed, including that of the Doctors who have certified colour blindness of other employees of the Corporation and such employees were benefited under certification of the Doctors, are already released on pre-arrest bail by the learned Trial Court, as is apparent from the order dated 1st October, 2015, passed by Additional Sessions Judge, Dhule in Criminal Bail Application No.735 of 2015 and the Drivers who were benefited under the certification of the Doctors are also released on bail, as is apparent from the order

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dated 29th September, 2015, passed by Additional Sessions Judge, Dhule, in Criminal Bail Application No.723 of 2015.

5. Having regard to the above referred factual background and the fact that the applicant is a public servant, holding a super class-I post, there is hardly any likelihood that he will run away from the prosecution.

6. In view thereof, I pass following order :-

In the event of arrest of the applicant, in connection with C.R. No. 189 of 2015, registered with Dhule City Police Station, for offences punishable under sections 420, 417, 419, 465, 466, 468, 471, 474 read with sec. 34 of the Indian Penal Code and section 15 of the Motor Vehicles Act, he be released on bail, on furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.

The applicant shall appear before the Investigating Officer initially on 19th and 20th December, 2015, between 10.00 a.m. and 12.00 noon, and thereafter as and when called by him.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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