

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

CRIMINAL APPLICATION NO. 6249 OF 2015

Sagar s/o Ramchandra Jadhav,
Age : 27 years, Occu. Labourer,
R/o. Behind Gas Godown,
Arangaon, Tq. Nagar, Dist. Ahmednagar. ... Applicant

VERSUS

The State of Maharashtra ... Respondent

.....
Mr N. V. Gaware, Advocate for applicant
Mrs M. A. Deshpande, APP for respondent/State
.....

ALONG WITH
CRIMINAL APPLICATION NO. 6250 OF 2015

Aditya @ Shalon Shamuvel @ Shyam Gujar,
Age : 24 years, Occu. Education,
R/o. Behind Ajay Gas Godown,
Arangaon, Tq. Nagar, Dist. Ahmednagar. ... Applicant

VERSUS

The State of Maharashtra ... Respondent

.....
Mr N. V. Gaware, Advocate for applicant
Mrs M. A. Deshpande, APP for respondent/State
.....

CORAM : **INDIRA K. JAIN, J.**
DATE : **23RD DECEMBER, 2015.**

PER COURT:

. Here are the applications for regular bail in Crime No. I-319 of 2015 registered at Tofkhana Police Station, Dist. Ahmednagar for the offences punishable under Sections 170, 465, 468, 471 read with 34 of the Indian Penal Code.

2. Heard Mr N. V. Gaware, learned counsel for applicants and Mrs Deshpande, learned APP for respondent/State.

3. Complainant Vishal Amrute was attached to local Crime Branch as police constable. On 26th October, 2015 he lodged report alleging therein that they have received an information that applicants were posing themselves as CBI officials and cheating the public. A trap was arranged. Applicants were intercepted. An air gun, two laminated identity cards in the name of A. S. Gujar and a motor-bike were recovered from them.

4. The offence punishable under Section 468 of the Indian Penal Code is punished with seven years imprisonment. So far as other offences are concerned, punishment prescribed is two

years imprisonment. Investigation is almost complete. Applicants were in police custody. Since 2nd November, 2015 they are in magisterial custody.

5. The prosecution case is mainly based on the documents. One air gun, fake identity cards, CPU and Printer from the Cyber Cafe where applicants got printed the cards have been seized.

6. Learned APP resisted the application on the ground that in case applicants are released on bail, they may indulge in similar crime again. The apprehension of learned APP can be taken care of by imposing stringent conditions.

7. Considering the nature of offences, severity of punishment and since investigation is almost over, this Court is inclined to allow the applications. Hence the following order.

ORDER

- (i) Criminal Application Nos. 6249 of 2015 and 6250 of 2015 are allowed.

- (ii) Applicants Sagar s/o Ramchandra Jadhav and Aditya @ Shalon Shamuvel @ Shyam Gujar are released on bail in Crime No. I-319 of 2015 registered at Tofkhana Police Station, Dist. Ahmednagar for the offences punishable under Sections 170, 465, 468, 471 read with 34 of the Indian Penal Code, on their furnishing PR and SB of Rs. 15,000/- (Rupees Fifteen Thousand) each.
- (iii) Applicants shall not tamper with the prosecution evidence and shall make themselves available as and when required by the Investigating Agency.
- (iv) Applicants shall not indulge in such illegal activities again and in case similar crime is registered against applicants, prosecution shall be at liberty to move for cancellation of bail.
- (v) Bail before the trial Court.

[INDIRA K. JAIN]
JUDGE