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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.812 OF 2017

Rahul Anil Keluskar ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr.Gaurav Parkar, for the Applicant.

Mr.V.V.Gangurde, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 20th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.93 of 2016 registered with the Taloja Police Station, for the alleged offences punishable under Sections 420, 467, 468, 470, 471 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicant submits that the only allegation as against the applicant is that he received an amount of Rs.5 lakhs from N.B. Associates (Bogus Account). He submitted that an amount of Rs.5 lakhs was received on 30th January, 2016 and the same was transferred to the accounts of Shirish Bhogane and Dashrath Bidwai on 1st February, 2016. He submitted that an amount of Rs.2 lakhs was transferred to the account of Shirish and an amount of Rs.3 lakhs was transferred to the account of Dashrath. According to the learned counsel, it is Dashrath (Original Accused No.1), who actually forged the document and created a bogus account in the name of N. B. Associates. He submitted that except the said allegation, there is no material to show that the applicant had forged or fabricated any document or he was party to the same. He relied on the order dated 26th April, 2017, passed by this Court, granting bail to the co-accused – Shirish Bhogane.

4. Learned APP does not dispute the fact, that except the aforesaid allegation, there is no allegation that the applicant forged or fabricated any document or that he was party to the same.

5. Perused the papers. The Account Statement of the present applicant is on page 102 of the application. A perusal of the said Account Statement shows that on 30th January, 2016, an amount of Rs.5 lakhs was transferred by N. B. Associates (Bogus Account) by R.T.G.S to the applicant's account. It further appears that on 1st February, 2016, the present applicant transferred an amount of Rs.2 lakhs to the account of Shirish and an amount of Rs.3 lakhs to the account of Dashrath. Except the said transfer, learned APP is unable to show that the applicant has in any way forged or fabricated any document.

6. Considering the role of the applicant, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;

ii) The Applicant shall attend the concerned Police Station on the first Monday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

iv) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station, in writing;

v) The Applicant shall co-operate in the conduct of the trial.

7. The Application is allowed and disposed of in above terms.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)