

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.1014 OF 2017

Sajjan Ananta Ghadage

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.M.S.Mohite i/b Mr.S.S.Aradhye, for the Applicant.

Mr.S.S.Pednekar, A.P.P. for the Respondent-State.

PSI – S.G.Malame, Pandharpur.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th MAY, 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.100 of 2017 registered with the Pandharpur Taluka Police Station, Solapur, for the alleged offences punishable under Sections 379, 420, 465, 467, 468, 471, r/w 34 of the Indian Penal Code and under Section 15 of the Environment Act.

3. Learned Counsel for the applicant submits that the only allegation, qua the applicant is that he tampered with the transport pass, by correcting the time mentioned therein. He submitted that the applicant has been in custody since 31st March, 2017. He submits that the owner of the trucks and contractor who were the main beneficiaries were enlarged on bail vide order dated 9th March, 2017, by this Court.

4. Learned APP does not dispute the aforesaid facts.

5. Perused the papers. On 14th January, 2017, the Deputy Superintendent of Police, Pandharpur, seized one tipper bearing No.MH-13 AX 4250 containing sand and one Abhiman K. Dubal claimed the ownership of the said tipper and produced two royalty receipts (pass). On enquiry and on verification it was found that the receipts were genuine, but there was tampering in the said receipts inasmuch as, the timings mentioned in the pass were tampered with i.e. it was ante-timed, pursuant to which, the aforesaid complaint was lodged.

6. The applicant was an employee of M/s.Yeshwanti Engineering and was employed on contract basis. It is not in dispute that the owner and the contractor of the said vehicle who were the main beneficiaries have been enlarged on bail by this Court vide order dated 9th March, 2017. It also appears that all the documents have been seized.

7. Considering the aforesaid, further custody of the applicant is not required. Accordingly, 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.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, every Monday, between 10:00 a.m. to 11:00 a.m., till the filing of the charge-sheet;
- iii) The Applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall cooperate with the conduct of the trial.

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

9. 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.

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

(REVATI MOHITE DERE, J.)