

nsc.

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

CRIMINAL BAIL APPLICATION NO.1568 OF 2019

Kushal Kailash Patil	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.S.P.Kadam, for the Applicant.

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

CORAM : REVATI MOHITE DERE, J.

DATE : 13th JUNE, 2019

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.339 of 2018 registered with the Chembur Police Station, Mumbai, for the alleged offences punishable under Sections 420, 465, 468, 471 r/w 34 of the Indian Penal Code.
3. Perused the papers. On 29th October, 2018, the complainant – Ram Shinde alongwith another bus inspector Mr.Chaudhary started

checking tickets of passengers travelling near R.C. Road, Chembur. It is alleged that one of the passenger - Pasha Shaikh showed his B.E.S.T pass, which was found to be suspicious and not a valid bus pass. The passenger was asked to produce the receipt of the pass however, he could not produce the same. On investigation, the complainant found that the said pass was not issued and that it was a bogus pass. Pursuant to the same, an FIR was registered. Investigation revealed that Pasha Shaikh had received the said B.E.S.T pass from his employer – Arjun Patel, who in turn had received it from one Anurag Tiwari, who again had received the same from the applicant. It is the prosecution case, that the applicant had received the said pass from Trimax I.T. Infrastructure and Services Limited, who had a contract with the B.E.S.T. for issuing B.E.S.T passes.

4. It is not in dispute that Pasha Shaikh, Arjun Patel and Anurag Tiwari have been enlarged on bail. The applicant is stated to have received the said B.E.S.T pass from Trimax I.T. Infrastructure and Services Limited. Investigation is complete and charge-sheet is filed. The applicant has no antecedents.

5. Considering the aforesaid, 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 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 trial Court as well as to the concerned Police Station, in writing;
- iii) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;
- iv) The Applicant shall co-operate in the conduct of the trial.

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

7. 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.

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

REVATI MOHITE DERE, J.