

Anand

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

BAIL APPLICATION NO. 2467 OF 2019

Ashok Datta Kathe

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. Ganesh K. Gole i/b. Mr. Ritesh Ratnam, Advocate, for the Applicant
Mrs. P. P. Shinde, APP, for the Respondent – State
Mr. V. K. Patil, PSI, Vishnu Nagar Police Station, Thane present

CORAM : REVATI MOHITE DERE, J.

DATE : 16.10.2019

P. C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 36 of 2019 registered with the Vishnu Nagar Police Station, District – Thane, for the alleged offences punishable under Sections 420, 465, 467, 468, 471, 472 r/w 34 of the Indian Penal Code.

3. Perused the papers. The alleged offence is stated to have taken place between the period 06.02.2019 and 12.02.2019. According to the Complainant – Vaibhav Rajaram Gavas, he was sent by Anil Sindkar (co-accused) to the Applicant for getting a letter of

introduction for preparation of an Aadhar Card i. e. to essentially show proof of identity and residence. It is alleged by the Complainant that co-accused – Anil Sindkar told him to get two photographs and Rs. 1,000/- and go to the Applicant for getting a letter of introduction for getting an Aadhar Card. It is alleged by the Complainant that the Applicant gave him a letter of introduction by forging the signature of MLA – Mr. Ravindra Chavan. The Applicant was apprehended at a Cyber Cafe with the forged letter. It appears that co-accused – Anil Sindkar and Jitendra Sejpal have been released on bail by the learned Additional Sessions Judge, Kalyan vide orders dated 19.03.2019 & 11.03.2019 respectively.

4. Learned APP states that the said document is sent to the handwriting expert and that the report is awaited. Learned APP on instructions states that the Applicant has no antecedents. No doubt, it prima facie appears that the Applicant has used a fake letter head and rubber stamp of MLA – Mr. Ravindra Chavan. However, having regard to the fact that the other co-accused have been enlarged on bail and that investigation is complete and charge-sheet is filed and as the Applicant has no antecedents, the Application is allowed on the following terms & conditions :-

ORDER

- (i) The Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 20,000/-** with one or two sureties in the like amount;
- (ii) The Applicant shall report to the investigating officer of the concerned police station on the **first Saturday of every month** between **10.00 a. m. and 12.00 noon** for a period of 12 months from the date of his release;
- (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;
- (v) The Applicant to co-operate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are

prima facie, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

(REVATI MOHITE DERE, J.)