

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**Criminal Application (BA) No. 491 of 2019**

*Sunil s/o Pandurang Sonwane*

***Vs.***

*State of Maharashtra*

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Shri R. B. Gaikwad, Advocate for the applicant  
Mrs. G. R. Tiwari, APP for the State/non-applicant

**CORAM : M. G. GIRATKAR, J.**

**DATED : 11/09/2019**

This is second application for grant of bail as per provisions of Section 439 of Cr.P.C. The first bail application was withdrawn.

2] Heard learned Counsel Shri Gaikwad for the applicant. He has pointed out the report lodged by the complainant/I.O. Shri Sonule on 29.04.2018 and the statement of Shri Sonule recorded on 05.05.2018. Learned Counsel has submitted that both report and statement of Sonule are contradictory. He has not stated anything about the role played by the present applicant in the crime in the report dated 29.04.2018. Learned Counsel has submitted that amount of Rs.3,18,07,200/- recovered from the accused Ravi Ramesh Machewar, Gajanan Mungune, Sachin Padgilwar, Prakash Wasnik and amount of Rs.2,50,00,000/- was

seized from the accused - Gajajan Mungune. The said amount was seized from accused-Gajajan Mungune from village Bhis, Tq. Chimur, District Chandrapur.

3] Nothing is seized from the present applicant/accused. It is the allegation against the accused that he is main accused who committed the crime.

4] From the perusal of the report of Shri Sonule dated 29.04.2018 and his statement dated 05.05.2018, it appears that Inspector Shri Sonule has stated different version in his statement making allegation that the present applicant is the main brain for commission of crime. Nothing is recovered from the present applicant. He is in jail from 04.05.2018. Accordingly, the bail application is **allowed**.

5] The applicant/accused Sunil s/o Pandurang Sonwane be released on bail on his executing a P.R. Bond of Rs.1,00,000/- with one solvent surety of like amount on the following conditions:

(i) The applicant shall not tamper the evidence of prosecution witnesses.

(ii) The applicant shall not leave the jurisdiction of trial Court without prior permission.

(iii) The applicant shall attend the trial Court on each and every date without fail.

(iv) Breach of any of the conditions amounts to cancellation of bail.

6] Accordingly, the criminal application is disposed of.

**JUDGE**