

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

**Criminal Application (BA) No.1131 of 2020**

Mahesh S/o Vasudeo Padole

**Versus**

State of Maharashtra, through Police Station Officer, Mankapur, Taluka and District Nagpur.

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

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Shri A.M. Sudame, Advocate for Applicant.

Shri H.D. Dubey, APP for Non-Applicant.

**Coram : Pushpa V. Ganediwala, J.**

**Date : 22<sup>nd</sup> December, 2020**

Heard Shri Sudame, learned counsel for the applicant, and  
Shri Dubey, learned APP for the non-applicant – State.

2.        The applicant is seeking bail in Crime No.348 of 2020 registered at Police Station Mankapur, Nagpur for the offences punishable under Sections 420, 464, 466, 467, 468, 469 and 120(B) read with Section 34 of the Indian Penal Code.

3.        The applicant is a Government servant and is appointed as a Sports Officer with the Director of Sports and Youth Services, Nagpur Division. It is stated that for availing benefit of 5% reservation in sports quota in the employment in the State of Maharashtra, the verification of the sports certificates are to be carried out from the office of Deputy Director of Sports and Youth Services, wherein the present applicant was posted as a Sports Officer. It is alleged that during his tenure as a Sports Officer in Nagpur Division, he passed two

bogus certificates without verifying the truthfulness of the certificates and without verifying the correctness of the addresses. The specific role attributed to him is that he prepared the note-sheet and submitted it before the senior officer for signature and obtained the same and thereby two persons by name Ravindra Sawant and Sanjay Sawant availed the job in Government Service – Ravindra Sawant in Education Department and Sanjay Sawant in Police Department. It is stated that Ravindra Sawant has joined his services, while Sanjay Sawant could not, as the fact of submission of bogus certificate came to light. It is further alleged that the present applicant is an instrumental in getting the bogus sports certificates for his wife Kalyani and sister-in-law Nutan. However, it is stated that they have not taken any benefit of these certificates. The Investigating Officer is present before this Court and he submits that for accused Nos.1 and 3, the investigation is complete and the chargesheet is also filed and as far as the present applicant is concerned, the substantial part of the investigation has been carried out.

4. Considering the limited role attributed to the present applicant and considering that he is a Government servant, there is no likelihood that he would jump the bail. In this view of the matter, this Court is inclined to grant bail to the applicant on the following conditions :

- (i) The applicant – Mahesh S/o Vasudeo Padole, shall be released on bail on his executing a personal bond of Rs.30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

(ii) The applicant shall not issue threats or tamper with the prosecution witnesses.

(iii) The applicant shall keep himself available whenever the Investigating Officer calls, till filing of the chargesheet.

(iv) The applicant shall co-operate with the Investigating Officer during investigation.

(v) If the applicant fails to co-operate with the Investigating Officer during investigation, then the prosecution is at liberty to file an application for cancellation of bail.

5. Needless to mention that the observations made in this application are strictly for deciding the present application of the applicant and the Trial Court shall not get influenced by the same and shall be free to decide the matter on its merits.

6. The criminal application stands disposed of.

JUDGE.