

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1021 BAIL APPLICATION NO.1560 OF 2021

ARUN SITARAM SATRE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. M.M. Bhokarikar, Advocate for the applicant

Mr. N.T. Bhagat, APP for the respondent

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 22th DECEMBER, 2021

ORDER :

1 Present application has been filed under Section 439 of the Code of Criminal Procedure, 1973 by the applicant, who has been arrested in connection with Crime No.75/2021 dated 10.03.2021, for the offence punishable under Section 420 of the Indian Penal Code, 1860.

2 Heard learned Advocate Mr. M.M. Bhokarikar for the applicant and learned APP Mr. N.T. Bhagat for the respondent. In order to cut short, it can be said that they have argued in support of their respective contentions.

3 Perusal of the First Information Report would show that

informant Suresh Punamchand Mali @ Karwande had sold his agricultural produce to the present applicant, who is stated to be the partner of accused Dipak Janardan Bhamre, on several occasions from 23.12.2020. The cotton, that was sold, was to the tune of Rs.2,09,406/-. Informant then says that thereafter on 10.01.2020 Dipak Bhamre had given him cash of Rs.10,000/-. A receipt was given under the handwriting of the present applicant. Amount of Rs.1,99,406/- was remaining, which was promised to be paid by the accused persons within a period of 20 days. After 20 days when informant started demanding his amount, the accused persons were avoiding on one or the other pretext and, therefore, the First Information Report has been lodged.

4 It is to be noted from the contents of the First Information Report that the transaction appears to be more civil in nature, whether it attracts the basic ingredients of Section 415 of the Indian Penal Code or not will have to be considered, but taking into consideration the fact that the applicant is in jail since 13.03.2021, he needs to be released on bail. Hence, following order.

ORDER

1 Application stands allowed.

2 Applicant viz. Arun Sitaram Satre, who has been arrested in connection with Crime No.75/2021 dated 10.03.2021, for the offence punishable under Section 420 of the Indian Penal Code, 1860, be released on PR. of Rs.30,000/- (Rupees Thirty Thousand only) with two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand only) each.

3 The applicant shall not tamper with the evidence of the prosecution, in any manner.

4 He shall not indulge in any criminal activity.

5 Bail before Trial Court.

(Smt. Vibha Kankanwadi, J.)

agd