

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

CRIMINAL APPLICATION (BA) NO.325 OF 2021

(Jubin Khan s/o Zalil Khan Pathan Vs. State of Maharashtra thr. PSO PS Gadchiroli,
Tah. & Dist. Gadchiroli)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. P.N. Sangidwar, Advocate for Applicant.
Mrs. K.R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 7th SEPTEMBER, 2021.

The applicant is seeking bail in connection with Crime 458/2019 registered with Police Station Gadchiroli, District Gadchiroli for offences punishable under sections 420, 465, 467, 468, 471 read with section 34 of the Indian Penal Code.

2. Thirteen persons are arraigned as accused.

3. Applicant is accused-11, and the role attributed is that acting for on behalf of the mastermind of the fraud accused-1, he contacted accused-10 and obtained certain information and documents which facilitated the fraud. Illustratively, the applicant obtained the specimen signature of the officers of the Zilla Parishad, is an allegation. In consideration, the applicant allegedly received Rs.2,50,000/- (Rupees Two Lakh and Fifty Thousand only)

out of which amount of Rs.1,80,000/- (Rupees One Lakh and Eighty Thousand only) was recovered and seized pursuant to the disclosure made under section 27 of the Indian Evidence Act.

4. Perusal of the charge-sheet, and the accompanying papers reveal that apart from the discovery, the only incriminating material is the disclosure by co-accused, which in any event would be inadmissible.

5. Considering the material on record, the applicant, who is in custody since 01.09.2020 is entitled to grant of bail subject to the following conditions:

- (i) The applicant be released on bail in connection with Crime 458/2019, registered with Police Station Gadchiroli, District Gadchiroli for offences punishable under sections 420, 465, 467, 468, 471 read with section 34 of the Indian Penal Code on executing PR bond of Rs.16,000/- (Rupees Sixteen Thousand only) with one solvent surety of the like amount.
- (ii) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.
- (iii) The applicant shall not leave the country without

the permission of the jurisdictional Court.

JUDGE

NSN