

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

CRIMINAL APPLICATION (BA) 1285 OF 2021

(Vinod Mahadeorao Gode..vs..State, thr PSO, PS Parwa, Tah. Ghatanji Dist. Yavatmal)

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

Court's or Judge's orders.

Mr. P.S. Kadam, counsel for applicant.
Mr. N.S. Rao, APP for non-applicant /State.

CORAM: ROHIT B. DEO, J.
DATE:18.12.2021.

Heard.

2. The applicant is arraigned as accused 2 in Crime 335/2021, registered with Police Station Parwa, Tahsil Ghatanji, District Yavatmal, for offences punishable under sections 420, 463, 468, 511 of the Indian Penal Code, sections 7,19,19(c)(2)(5), 21 of Fertilizer (Control) Order and section 3(2)(d) of Essential Commodities Act.

3. The prosecution case is that the absconding accused 3 Jaideep Vyas supplied substandard fertilizers to accused 1 Sanjay Pandharmise for purpose of sale.

4. The accusation against the present applicant is that while he was serving at fertilizer factory, he came into

contact with accused 2 Jaideep Vyas some time in the year 2014, and that it was the applicant, who introduced accused 1 Sanjay Pandharmise to accused 2 Jaideep Vyas.

5. While rejecting bail, the learned Sessions Judge has referred to certain adverse observations made by this Court while rejecting the pre-arrest bail of accused 1 Sanjay Pandharmise.

6. Considering the role attributed to the applicant, I am not inclined to continue the incarceration. Bail cannot be denied only because one of the co-accused is yet to be arrested.

7. This application is allowed subject to the following conditions:

(i) The applicant be released on bail in connection with Crime 335/2021, registered with Police Station Parwa, Tahsil Ghatanji, District Yavatmal, for offences punishable under sections 420, 463, 468, 511 of the Indian Penal Code and sections 7,19,19(c)(2)(5), 21 of Fertilizer (Control) Order and section 3(2)(d) of Essential Commodities Act,

on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) 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 trial Court.

Judge

Belkhede