

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

921 BAIL APPLICATION NO.145 OF 2022

Gautam Bhimrao Narwade
Age: 35 years, Occu.: Pvt. Service,
R/o.Jawahar Colony, Prasad Building,
In front of DP Road, Beed
(Now in Jail)

..Applicant

VERSUS

The State of Maharashtra
Through Police Station Satara
Aurangabad.

..Respondent

...
Advocate for Applicant : Shri Vivek Vasantrao Bhavthankar
APP for Respondent : Smt.R.P.Gaur

...
CORAM : M.G.SEWLIKAR, J.

DATE: 26th February, 2022

PER COURT :-

1. Heard.

2. The informant was knowing the applicant. In the month of June, 2013, the applicant misrepresented the informant that if amount of Rs.2,00,000/- to Rs.3,00,000/- was paid, informant would get a good job. Applicant had also misrepresented that the informant would be required to undergo training of one year and thereafter, informant would get a good job. Acting on this misrepresentation, informant arranged an amount of

Rs.2,65,000/- and deposited it in the account of the applicant in Bank of Maharashtra bearing No.AH-13186302130. The informant did not receive any communication since then. He waited till 15th August, 2013 and thereafter he lodged the report on 21st August, 2013.

3. Shri V.V.Bhavthankar, learned counsel for the applicant submits that the applicant is behind bars since 10th April, 2021. He submits that applicant has been released on bail in another offence. He submits that the applicant, as per FIR, did not promise any job in the Government Sector for the informant. As per the FIR, the only representation applicant had made was that the informant would get a call for training. He submits that the informant has alleged in the FIR that he did not get job.

4. Smt.R.P.Gaur, learned APP for the respondent-State submits that the applicant was absconding for eight years. If he is released on bail, he will again abscond. She, therefore, prayed for rejection of the application.

5. Offence is punishable with imprisonment of seven years. As per the allegations in the FIR, the applicant had made representation that the informant would be required to undergo

training of one year and then the informant would get a good job. *Prima-facie* it does not appear that the informant had made any such representation of assurance of job. Applicant is behind bars for almost close to a year. In this view of the matter, I am inclined to release the applicant on bail. Hence, the order :

ORDER

- i) Bail Application is allowed.
- ii) Applicant be released on P.R.Bond of Rs.40,000/- (Rs.Fourty thousand only) with one solvent surety in the like amount, in connection with Crime No.0122 of 2013, registered with Satara Police Station, Dist.Aurangabad, under Sections 420 of the Indian Penal Code and on condition that he shall not tamper the prosecution evidence, shall attend the Court on the dates fixed during the trial and shall attend the concerned Police Station on every Wednesday between 12:00 Noon and 04:00 p.m. till the conclusion of the trial.
- iii) Bail Application is disposed of.
- iv) It is clarified that the observations made in this order are restricted to the decision of this application only and the trial Court shall not get influenced by the same and can come to its independent conclusion during trial.

**(M.G.SEWLIKAR)
JUDGE**