

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

BAIL APPLICATION NO. 599 OF 2022

Mohd. Rafi Amir Khan Pathan

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....

Mr. R.S. Deshmukh, Senior Advocate i/b Mr. D.R. Deshmukh a/w Mr. S.A. Jadhav, Advocate for applicant

Mr. N.T. Bhagat, A.P.P. for respondent - State

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CORAM : R.G. AVACHAT, J.

DATE : 17th AUGUST, 2022

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 45 of 2021 registered with Naigaon Police Station, Dist. Nanded for the offences punishable under Sections 420, 409, 467, 468 and 471 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. The applicant has been behind the bars for little over one year. On investigation, charge-sheet has been filed. The amount involved is Rs.17 lakhs. It is informed that Rs.3 lakhs have been recovered.

4. Learned counsel for the applicant makes a statement that the applicant would not receive the amount of Rs.14 lakhs which may be due to him under the Government Provident Fund account or other heads.

5. Based on the said statement and the fact that the applicant has been behind the bars for little over one year and charge-sheet has been filed, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released, in connection with Crime No. 45 of 2021 registered with Naigaon Police Station, Dist. Nanded for the offences punishable under Sections 420, 409, 467, 468 and 471 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The Investigating Officer to inform the appointing authority of the applicant the statement made by learned counsel on behalf of the applicant.

(IV) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)