

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

BAIL APPLICATION NO.1410 OF 2022

Mahesh s/o Sopan Raut

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. N.S. Ghanekar, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for the respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 12th SEPTEMBER, 2022.

PER COURT :

Heard. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0547/2022, registered at Shrigonda Police Station, District Ahmednagar for the offences punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code.

2. The case of the prosecution so far as against the present applicant is concerned is that, he has raised a loan of Rs.3,11,000/- as against non-existent security namely agricultural land. It is the case of the prosecution that, the applicant, by joining hands with revenue authorities, forged

7/12 extract in his name and on the strength of which, availed the loan from Industrial Development Bank of India. It is stated to be an agricultural loan advanced @ 7% interest p.a. and if the borrower is not regular in repaying the loan amount, then the interest shall be @ 10% p.a.

3. The extract of loan account of the present applicant indicates, as of today he is in arrears to the tune of Rs.4,46,000/- with the Bank. The applicant on his own came around to clear all the dues. He is in jail since 18/7/2022. Since the applicant on his own has come forward to deposit the entire amount, the Court is inclined to grant bail to the applicant on condition of depositing the amount of Rs.4,46,000/- as follows. Hence the order :

ORDER

(i) The Bail application is allowed.

(ii) The applicant shall deposit amount of Rs.4,00,000/- (Rupees four lakhs) with the Bank within a period of four weeks from today. On verification of the same, the trial Court shall accept the bail papers of the applicant and the applicant be released on bail in connection with Crime No.0547/2022, registered at Shrigonda Police Station, District Ahmednagar

for the offences punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code on his executing P.R. bond in the sum of Rs.15,000/- (Rupees fifteen thousand) with one surety in the lime amount.

(iii) The applicant shall deposit balance amount of Rs.46,000/- (Rupees forty six thousand) within a period of three weeks thereafter.

(iv) If the entire amount of Rs.4,46,000/- (Rupees Four Lakhs forty six thousand) is not paid within the stipulated period, the bail granted to the applicant is liable to be cancelled.

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

(R. G. AVACHAT, J.)

fmp/-