

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

BAIL APPLICATION NO. 1539 OF 2022

Rajkumar Vajinathappa Gulange

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. V.D. Gunale, Advocate for applicant
Mr. A.V. Deshmukh, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 03rd OCTOBER, 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. 454 of 2018 registered with Udgir Rural Police Station, Dist. Latur for the offences punishable under Sections 420, 406, 467, 468 and 470 read with Section 34 of the Indian Penal Code.

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

3. The case of prosecution is that the applicant is the owner of a godown. Some farmers stored their *soyabin* in the applicant's godown. The

applicant, in turn, gave the said godown to someone else. The *soyabin* stored therein was sold without consent of the farmers whom the same belonged. Those farmers have not been paid for their *soyabin*.

4. On investigation, the charge-sheet has been filed. The offence is triable by learned Judicial Magistrate First Class. The applicant is in jail for little over two years and three months. The record indicates that the informant and other farmers gave consent to grant the applicant bail. If any of such farmers has been left out of having been paid or not given consent for granting the applicant bail, the applicant shall satisfy their claim. Learned counsel makes statement in this regard.

5. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 454 of 2018 registered with Udgir Rural Police Station, Dist. Latur for the offences punishable under Sections 420, 406, 467, 468 and 470 read with Section 34 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 applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD