

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1654 OF 2022

CHHAGAN RAMESHWAR DANDGE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondent : Mr. S. B. Narwade
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CORAM : S. G. MEHARE, J.

DATE : 18-10-2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The learned counsel for the applicant would submit that it has been alleged against the applicant that one of the accused provided him question paper in advance for appearing for the examination for the post of Junior Accounts Officer. He had secured the highest marks. He was selected. However, he did not comply with the other conditions for the employment. Hence, he was terminated. He had challenged termination before the High Court. The High Court also confirmed his termination. Then, he approached the Honourable Supreme Court. The Honourable Supreme Court orally expressed that crime be registered against the applicant, and therefore, he has been arraigned as an accused.

The Honourable Supreme Court has released the main culprit in the crime on bail in view of the facts of the case. The applicant is languishing in jail since 24.08.2022. Nothing is to be recovered from the applicant. The applicant in fact is a victim. He lost everything. The alleged question paper was never provided to him. Since he was from outstation, he went to Hingoli well in advance. In the facts and circumstances of the case, the applicant may be released on bail.

3. The learned A.P.P. has strongly opposed the application. He would argue that the main culprit was released on bail as he was languishing in jail for long period. The offence is serious. The question paper supplied to the applicant is not recovered. Therefore, the application may be dismissed.

4. Perused the papers. The allegations against the applicant are as stated above. He has also undergone the police custody. The investigation against him is completed. The detailed investigation has been done by the Investigating Officer. The chargesheet against co-accused has been filed. The main culprit has been released on bail. So considering the role attributed to the applicant, it would be futile to keep him behind bars. Hence, the following order :-

i) Application is allowed.

ii) Applicant Chhagan Rameshwar Dandge be released on bail, on furnishing PB and SB of Rs.25,000/- with one solvent surety of the like amount, in F.I.R.No. 326 of 2018 registered with Police Station Hingoli (City), District Hingoli, for the offences punishable under Sections 420 and 120B of the Indian Penal Code, on the conditions; (a) he shall attend the police station as and when required by the Investigating Officer on written notice, and (b) he shall not tamper with the prosecution witnesses.

(S. G. MEHARE)
JUDGE

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