

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1482 OF 2022
WITH APPLN/3146/2022 IN BA/1482/2022

HARIKISAN DATTATRAYA GADE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. R. V. Gore
APP for Respondent/State : Mr. S. B. Narwade
Advocate for Complainant/Applicant : Mr. S. J. Salunke
(Application/3146/2022)

...

WITH BA/1933/2022

GAJANAN SHANTARAM CHEPATE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. M. C. Ghode
APP for Respondent/State : Mr. S. B. Narwade

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WITH BA/1073/2022
WITH APPLN/2472/2022 IN BA/1073/2022

BANDU BHANDUDAS GUNGARE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. D. S. Patil
APP for Respondent/State : Mr. S. B. Narwade
Advocate for Complainant/Applicant : Mr. K. N. Shermale
(Application/2472/2022)

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WITH BA/1889/2022

VIJAY UTTAM DASPUTE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Mangesh R. Jadhav, Mr. D. S. Patil
APP for Respondent/State : Mr. S. B. Narwade

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WITH BA/1810/2022
WITH APPLN/3745/2022 IN BA/1810/2022

GANESH JIJA NEEL
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. A. R. Ingale
APP for Respondent/State : Mr. S. B. Narwade
Advocate for Complainant/Applicant : Mr. S. J. Salunke
(Application/3745/2022)

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WITH BA/1868/2022
WITH APPLN/3746/2022 IN BA/1868/2022

NAMDEO DHONDIRAM TATTU
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Nilesh S. Ghanekar
APP for Respondent : Mr. S. B. Narwade
Advocate for Complainant/Applicant : Mr. S. J. Salunke
(Application/3746/2022)

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CORAM : S. G. MEHARE, J.

DATE : 21-11-2022

PER COURT :-

1. Heard the learned counsel for the applicants, the learned A.P.P. for the respondent/State and the learned counsel for the complainant.
2. In Bail Application Nos. 1933 of 2022 and 1889 of 2022, issue notice to the respondent, returnable forthwith. The learned A.P.P. waives service of notice for the respondent/State.

3. In Bail Application Nos. 1868, 1810, 1933 and 1073 of 2022, after going through the audit report, the applicants are willing to deposit the amounts whatsoever shown against them in the audit report. They are ready to deposit the said amount by tomorrow i.e. on 22.11.2022. The applicants have shown *bonafide* to deposit the amount by demand draft in the Court of Judicial Magistrate, First Class, Paithan, District Aurangabad. The learned J.M.F.C. Paithan to accept the D.D. of the amount deposited by the applicants. List the Bail Application Nos. 1868, 1810, 1933 and 1073 of 2022 on 23.11.2022.

4. Mr. Gore, learned counsel for the applicant in Bail Application No. 1482 of 2022 seeks time to take further instructions. At his request, list the Bail Application No. 1482 of 2022 on 24.11.2022.

5. The applicant, in Bail Application No. 1889 of 2022, has been arraigned as an accused for playing fraud with the sugarcane factory, misappropriating the amount and forging the documents.

6. It has been argued for the applicant Vijay Uttam Daspute that nothing has been shown to be recovered from him in the audit report produced by the prosecution. He is languishing in jail from 28.05.2022. The material investigation is over. There are large number of accused. The trial may take its own time.

7. Considering the entire aspects of the case and progress in investigation, the Court is of the view that it would be inappropriate to keep him behind bar. Hence, the application is allowed.

- i) The application is allowed.
- ii) Applicant Vijay Uttam Daspute in Bail Application No.1889 of 2022, be released on bail, on furnishing PB and SB of Rs.1,00,000/- with one or two solvent sureties of the like amount, in C.R.No.0119 of 2022 registered with Paithan Police Station, Taluka Paithan, District Aurangabad, for the offence punishable under Sections 406, 409, 420, 464, 468, 470, 471 read with Section 34 of the Indian Penal Code, on the condition that, he shall not tamper with the prosecution witnesses.

**(S. G. MEHARE)
JUDGE**

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