

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

930 BAIL APPLICATION NO.1595 OF 2021

Dhananjay Balasaheb Bhosle
Age: 21 years, Occ.: Labour,
R/o. Shri Swami Samarth Colony,
Nagad Road, Chalisgaon, Dist.Jalgaon. ..Applicant

VERSUS

The State of Maharashtra
(At the instance of Chalisgaon City
Police Station) ..Respondent

...
Advocate for Applicant : Shri Abhaysinh K. Bhosle
APP for Respondent : Shri G.O.Wattamwar

...
CORAM : M.G.SEWLIKAR, J.

DATE: 7th January, 2022

PER COURT :-

1. Heard.
2. The applicant is alleged to have committed offence under Sections 420, 467, 468, 447, 471, 511 read with Section 34 of the Indian Penal Code vide Crime No.0241 of 2020 registered with Chalisgaon Police Station, District Jalgaon.
3. Case of the prosecution in brief is that applicant visited Chalisgaon Police Station on 22nd September 2020 at about 08:00 p.m. with an order passed by the Sub-Divisional Officer, Chalisgaon in respect of release of Tractor bearing registration No.MH-19 OY-3056. This Tractor was seized by the Police. On

perusal of the order, the informant got suspicious as there were scratches, scorings, overwritings in the registration number of the Tractor. The informant verified whether this order was passed by the Sub-Divisional Officer, Chalisgaon. He was apprised that this order was not passed by the Sub-Divisional Officer, Chalisgaon. Therefore, he realized that the said order was a forged one. In the mean time, applicant tried to run away from the Police Station. He was apprehended by the Police. Thereafter, it was revealed that the applicant and one Dinesh had forged the said order.

4. Shri A.K.Bhosle, learned counsel for the applicant submits that the main conspirator i.e. Dinesh has been released on bail. As per the prosecution's case, Dinesh had given the order to the applicant and the applicant was asked to produce the order in the Police Station.

5. Shri G.O.Wattamwar, learned APP for the respondent State submits that applicant and Dinesh both forged the order. Role of the applicant is more serious as he produced the order in the Police Station. He submits that therefore, applicant may not be released on bail.

6. I have gone through the charge-sheet and the statements of the witnesses. According to the case of the prosecution, both

accused Dinesh and applicant forged the order. Applicant produced the said order before the Police. Therefore, the role of the applicant and Dinesh in the commission of the offence is similar. Accused Dinesh is released on bail. Dinesh is the owner of the said Tractor. Applicant has no criminal antecedents. He is not likely to flee from justice. He will be available for trial. No extraordinary circumstance is brought on record to deny bail. In view of this, I am inclined to release the applicant on bail on the ground of parity. Hence, the order.

ORDER

- i) Bail Application is allowed.
- ii) Applicant be released on P.R.Bond of Rs.15,000/- (Rs.Fifteen Thousand only) with one solvent surety in the like amount, in connection with Crime No.0241 of 2020, registered with Chalisgaon Police Station, Dist.Jalgaon, under Sections 420, 467, 468, 447, 471, 511 read with Section 34 of the Indian Penal Code and on condition that he shall not tamper the prosecution evidence.
- iii) Bail Application is disposed of.
- iv) It is clarified that the observations made in the above order are restricted to the decision of this application only and the trial Court shall not get influenced by the same and can come to its independent conclusion during trial.

(M.G.SEWLIKAR)
JUDGE