

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2351 OF 2022

Ravindra s/o Vikram Jadhav Applicant.
V/s
The State of Maharashtra Respondent.

Mr. Anandsingh S. Bayas a/w. Adv. Yash P. Sonavane for the Applicant.
Ms. Sharmila S. Kaushik, APP for the Respondent-State

CORAM : NITIN W. SAMBRE, J.

DATED : 27th September, 2022

P.C.:

1. Heard.
2. The applicant is seeking pre-arrest bail in crime no. 52 of 2022 registered with Sarakar Wada police station for the offence punishable under sections 420, 465, 468 & 471 of IPC.
3. The contentions of Mr. Bayas, learned counsel for the applicant is, in view of the judgment of the Apex Court in the matter of *Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273* applicant deserves to be released as the offence is punishable with imprisonment of seven year or less.
4. The case of the prosecution is, Ganesh, son of Vilas Mohite was issued a forged appointment order appointing him on the post

of Inspector, State Excise by the applicant.

5. The submissions of learned counsel for the applicant is, there is hardly any material on record to infer the complicity of the applicant's involvement.

6. According to him, the applicant is into academics as he is imparting education to the students, and it is only due to internal rivalry which has prompted the false impleadment of the applicant in the offence.

7. He would further urge that without prejudice to the rights and contentions, the applicant is willing to deposit an amount as has been alleged against him in the offence in question.

8. Learned APP would oppose the prayer.

9. I have appreciated the said submissions.

10. It appears that the applicant has issued a cheque for an amount of Rs.5,20,000/- in favour of Vilas Mohite who has paid initially an amount of Rs.5,20,000/- and subsequently Rs.80,000/- to the applicant. The total consideration agreed between the applicant and the complainant was Rs.12,00,000/- towards getting the Ganesh appointed on the post of Inspector, State Excise.

11. The aforesaid material in the form of documentary evidence, the statement of victims and other witnesses prima facie

demonstrate the complicity of the applicant in the commission of the serious offence.

12. The post of the inspector, State Excise is to be filled in by promotion and not from the selection from external candidates.

13. The applicant has not only forged the appointment order but also drawn financial benefit out of such transaction.

14. There is enough material on record to directly connect the applicant in the offence in question.

15. Apart from above, learned APP informs that there is one more similar complaint against the applicant in which the applicant has allegedly accepted an amount of Rs.13,00,000/- from the victim.

16. Hence, no case for bail is made out. The applications as such stands rejected.

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(NITIN W. SAMBRE, J.)