

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4007 OF 2021

Alpesh Sakharam Pawar .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr. Rajendra Prasad Mishra for the Applicant.
Mr. S. H. Yadav, A.P.P. for the State/Respondent.
Mr. Bharat Jadav, Airport Police Station.

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CORAM: BHARATI DANGRE, J.
DATED : 6th SEPTEMBER, 2022

P.C:-

1. The applicant came to be arrested on 17/06/2021, in CR No. 5 of 2021, registered with Airport (Vimantal) Police Station on 28/02/2021.

The complaint filed against him alleged, that the applicant had assured for a job in BrihanMumbai Municipal Corporation and for that purpose, he has induced him to deliver an amount of Rs. 3,91,100/-. Since no job was provided, a complaint came to be filed which invoke sections 420, 465, 468, 471 of IPC.

2. On completion of investigation the charge-sheet has been

filed, which has compiled the material in support of the case of the prosecution to the effect, that the complainant parted with a sum of Rs. 3,91,100/- on the pretext of a job being offered. As far as section 420 is concerned, a letter issued by the Deputy Commissioner Special Branch for the verification of character and antecedent is alleged to be forged.

On completion of investigation the charge-sheet has been filed, and the entire material is compiled in the charge-sheet. The further incarceration of the applicant is not necessary. Since it is not the case of the prosecution, that the applicant is at flight risk and that he will not be available for trial. It is also not the case of the prosecution, that he has antecedent of similar nature. He therefore deserve his release.

3. Hence the following order.

: ORDER :

- (a) Application is allowed.
- (b) Applicant -Alpesh Sakharam Pawar, shall be released on bail in connection with C.R.No. 5/2021 registered with Vimantal Police Station on furnishing P.R. Bond to the extent of Rs.25,000/- with one or two sureties in the like amount.

The applicant shall be released on cash bail in lieu of sureties for a period of 4 weeks.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(d) The applicant shall mark his attendance on first Monday of the Trimester between 10:00 a.m to 12:00 noon till framing of the charge to the concerned Police Station and make himself available as and when required by the Investigating Officer.

(SMT. BHARATI DANGRE, J.)