

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Criminal Application (BA) No.302/2022

Sagar Ingole V State of Maharashtra thr PSO PS Malegaon

Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's Orders

Mr. R. Kadu, Advocate for applicant.

Mr. V.A. Thakare, APP for State.

CORAM : ANIL S. KILOR, J.

DATE : 27-07-2022

The applicant has approached to this Court by filing the present application under Section 439 of the Code of Criminal Procedure for grant of bail in connection with Crime No.0578/2020 registered with Police Station Malegaon, District Washim for the offences punishable under Sections 406, 409, 420, 465, 468, 471 read with section 34 of the Indian Penal Code.

2. Learned Counsel for the applicant submitted that the applicant was working as a computer operator on contract basis and he was not named in the FIR. It is submitted that he is noway connected with the alleged offence. Learned Counsel for the applicant submits that the main accused has been released on bail by the trial Court. Therefore, he submits that the applicant is entitled for grant of bail on the principle of parity.

3. He submits that the applicant is in jail from 09-05-2021 and as the investigation is completed and the chargesheet has been filed his further custody is not necessary.

4. On the other hand learned APP strongly opposed the application and submits that the applicant was working as a computer operator and during this period he created bogus job cards which is a serious offence. Accordingly, he prays for rejection of the present application.

5. I have perused the chargesheet and the FIR.

6. It appears that the main accused was released on bail by the trial Court and there are orders annexed with this application showing that most of the co-accused have been released on bail. Furthermore, nothing has been pointed out to show that the role of the applicant is different than the role of the co-accused persons who have been released on bail.

7. Considering the fact that the applicant is in jail from 09-05-2021 and the main accused has been released on bail, I am of the opinion that further custody of the applicant is not necessary, in this case. In that view of the matter, I pass the following order:-

ORDER

- i) Application is allowed.
- ii) The applicant in Crime No.0578/2020 registered with Police Station Malegaon, District Washim for the offences punishable under Sections 406, 409, 420, 465, 468, 471 read with section 34 of the Indian Penal Code, be released on bail on furnishing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- iii) The applicant shall attend the concerned Police Station as and when his presence is required.

(Anil S. Kilor, J.)