

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

CRIMINAL APPLICATION (BA) NO.588 OF 2022

Vilas Ganesh Zodape

Versus

State of Maharashtra, through P.S.O., P.S. Umred, Nagpur (Rural)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.R. Fule, Adv. a/w Shri S.V. Sirpurkar, Adv. for the applicant.
Shri T.A. Mirza, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 29/06/2022

1. The applicant is seeking bail in Crime No.304 of 2022, dated 17.05.2022, registered with Police Station Umred, District: Nagpur (Rural), for the offences punishable under Sections 467, 468, 471 and 420 read with Section 34 of the Indian Penal Code.

2. Shri Sirpurkar, learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. He is no way connected with the alleged offence.

3. The learned counsel for the applicant submits that the applicant is in jail from 17.05.2022 and as such, no further custody of the applicant is necessary. Accordingly, he prays for grant of bail.

4. On the other hand, Shri T.A. Mirza, learned APP opposes the present application and submits that knowing well the plot in question was not owned by the applicant, he entered into agreements relating to the said plot and received money towards its consideration.

5. He further submits that sufficient material showing involvement of the applicant is collected during the investigation. Accordingly, he prays for rejection of the present application.

6. I have perused the Case Diary and also the contents of the First Information Report (FIR).

7. The dispute is about the sale and purchase of plot. *Prima facie*, it appears that the complainant has not taken necessary care before entering into an agreement with the applicant. He ought to have verified the title before entering into an agreement.

8. Be that as it may, the applicant is in jail from last one month and considering the fact that there are no criminal antecedents to the discredit of the applicant and further looking to the allegations made in the FIR, I am of the opinion that further custody of the applicant is not necessary, I pass the following order:

- a) The criminal application is **allowed**.

- b) It is directed that the applicant shall be released on bail in Crime No.304 of 2022, registered with Police Station Umred, District: Nagpur (Rural), for the offences punishable under Sections 467, 468, 471 and 420 read with Section 34 of the Indian Penal Code, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month, till the filing of charge-sheet.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.
- f) The State is at liberty to apply for cancellation of bail, if the applicant commits same offence.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]