

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

CRIMINAL APPLICATION (BA) NO.852/2021

Ashok s/o Motiram Zanke

...Versus...

State of Maharashtra, Through its Police Station Officer, Kuhi Police Station,
Nagpur

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

Court's or Judge's orders

Shri G.S. Gour, Advocate for applicant
Mrs. M.H. Deshmukh, APP for non-applicant/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 31/03/2022

1. Heard Shri Gour, learned Counsel for the applicant and Mrs. Deshmukh, learned Additional Public Prosecutor for the non-applicant/State.
2. The applicant has been arraigned for the offence punishable under Sections 420, 467, 468 and 471 of Indian Penal Code in Crime No.121/2020 registered with Police Station Kuhi, Nagpur.
3. This Court, by an order dated 14/09/2021, after noting the apprehension expressed by the learned Additional Public Prosecutor had granted temporary bail to the applicant

for three months on the condition of deposit of Rs.5,00,000/- and other conditions, as contained therein. In pursuance thereto, the applicant had deposited an amount of Rs.4,25,000/- in the jurisdictional Court, which position was accepted by this Court by its order dated 21/12/2021 and the applicant was released on temporary bail for a period of three months. The applicant, by an affidavit dated 23/03/2022, has stated that on 24/01/2022 and 16/03/2022 he had further deposited an amount of Rs.75,000/- and Rs.50,000/- respectively in the Court of learned Judicial Magistrate First Class, Kuhl.

4. This position is not disputed by the learned Additional Public Prosecutor for the non-applicant/State.

5. It is, therefore, submitted that the applicant has shown his *bona fides* and also undertakes to appear on each and every date before the learned Trial Court and to comply with all such conditions, which may be imposed and be released on bail.

6. Learned Additional Public Prosecutor, considering the reasons stated in the order dated 14/09/2021 and 21/12/2021, has no objection for confirming the temporary bail, if the presence of the applicant is secured, considering which, in view of the nature of the offence

alleged and the *bona fides* shown in depositing the amount of Rs.5,50,000/- before the learned Judicial Magistrate First Class, I have no hesitation in confirming the temporary bail already granted to the applicant. Hence, the following order.

ORDER

(i) The applicant shall be released on bail for the offence punishable under Sections 420, 467, 468 and 471 of Indian Penal Code in Crime No.121/2020 registered with Police Station Kuhi, Nagpur on the conditions as imposed in the order dated 14/09/2021 and the additional conditions as under :

(a) The applicant shall not tamper with the evidence or try to influence the witnesses.

(b) The applicant shall intimate his address of residence and shall not change the address without prior permission of the Court and shall co-operate with the investigation.

(ii) The criminal application is allowed and disposed of accordingly.

(AVINASH G. GHAROTE, J.)