

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

CRIMINAL APPLICATION (BA) NO.1214 OF 2021

(Kishorilal s/o Hiralal Daharwal Vs. State of Mah.)

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

Court's or Judge's orders

Shri A.K. Bhangde, Advocate for the applicant.
Ms. Shamshi Haider, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : JUNE 06, 2022.

The applicant is seeking regular bail in Crime No.458/2019 registered on 19/09/2019 with Gadchiroli Police Station, District Gadchiroli for the offence punishable under Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that out of Rs.2,86,13,851/-, Rs.1,00,73,000/- has already been recovered and out of 13 accused persons six accused persons are already released on bail.

3. The learned counsel for the applicant submits that,

- a) The applicant has been falsely implicated in the alleged offence.
- b) The custody of the applicant is not necessary.

- c) The investigation is over and the charge-sheet is filed.
- d) The co-accused has already been released on bail.

4. On the other hand, the learned Additional Public Prosecutor strongly opposes the application and submits that

- a) The trial is going on and within next six months it will be over.
- b) The applicant may pressurize the witnesses or tamper with the prosecution evidence, if he is granted bail.
- c) The applicant may be absconded and would not be available for trial.

By arguing so, she prays for rejection of the present application.

5. Having considered the allegations made in the First Information Report and the role attributed to the applicant, furthermore the fact that the charge-sheet has already been filed in the month of November, 2020, it can be seen that no further custody of the applicant is necessary in this case.

6. Six co-accused persons have already been granted bail and further there is nothing to support the case of the prosecution that if the applicant has released

on bail, he may pressurize the witnesses or tamper with the prosecution evidence or may be absconded.

7. In that view of the matter, I am of the opinion that the applicant is entitled for grant of bail, hence the following order :

It is directed that the applicant - Kishorilal s/o Hiralal Daharwal in Crime No. 458 of 2019 dated 19th September, 2019 registered with Police Station Gadchiroli for the offence punishable under Sections Sections 420, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code, shall be released on bail on furnishing P.R.Bond of Rs.15,000/- (Rs. Fifteen thousand only) with solvent surety of equal amount.

(ANIL S. KILOR, J.)

*Divya