

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

CRIMINAL APPLICATION (BA) NO.1217 OF 2022

Vinod S/o Sambhaji Agashe .Vs. State of Maharashtra, through P.S.O., P.S. Malegaon,
Tq. Malegaon, Dist. Washim

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

Court's or Judge's Order

Shri S.D. Chande, Advocate for the applicant.

Shri N.R. Rode, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 07/12/2022

1. Heard.
2. The applicant is seeking bail in Crime No.578 of 2020, registered with Police Station: Malegaon, District: Washim, for the offences punishable under Sections 420, 409, 406, 465, 468 read with Section 34 of the Indian Penal Code.
3. 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.

4. 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.

5. 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.

6. I have perused the chargesheet and the FIR.

7. 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.

8. 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. There is one more reason that similar circumstances co-accused Sagar Ingole

was released on bail by this Court vide order dated 27.07.2022 passed in Criminal Application (BA) No.302 of 2022. In that view of the matter, I pass the following order:-

ORDER

- i) Application is **allowed**.
- ii) The applicant in Crime No.578 of 2020, registered with Police Station: Malegaon, District: Washim, for the offences punishable under Sections 420, 409, 406, 465, 468 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.

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

JUDGE