



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 133 OF 2023

UTTAM LAHANU JONDHALE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Akshay H. Bankapur for the Applicant.
Ms. Veera Shinde, APP for the State.
API Bhaskar J. Shinde, Yeola Police Station.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 15, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 420, 467, 468, 471, 409, 201 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 26/06/2019 vide C.R. No.118 of 2019 with Yeola Taluka Police Station, District Nashik.
- 3.** The applicant was arrested on 03/05/2022. The applicant is now in custody for 1 year and 4 months. The investigation is complete and the charge-sheet has been

filed. The allegations in brief are that the applicant was working as Rojgar Sevak of Village Murmi, Taluka Yeola, District Nashik. The accusation is that the Government of Maharashtra had sanctioned Rs.41 Lakhs for various development works during the period 2016-19. There are in all 4 accused. The Sarpanch and an officer of Zilla Parishad are also accused. It is the contention that the accused person did not carry out the developmental work sanctioned by the State government. The responsibility of the applicant was to maintain a wage register of payment to the industrial workers but had no authority to sanction any work. It is the accusation that the applicant had prepared false and fabricated muster roll of labourers.

4. Learned APP opposed the application contending that the applicant was involved in a serious offence. It is submitted that the applicant has misappropriated the amount which belonged to the public at large.

5. Learned counsel for the applicant further states that the applicant has been facing departmental action. Since the investigation is complete and the charge-sheet has been

filed, custody of the applicant is not necessary as the trial is likely to take long time to conclude. There are no criminal antecedents reported against the applicant. There is no likelihood of applicant evading trial. The applicant will face the consequences post-trial if he is found guilty. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Uttam Lahanu Jondhale in connection with C.R. No. 118 of 2019 registered with Yeola Taluka Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Yeola Taluka Police Station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from

disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) The applicant shall attend the trial regularly.

6. The application is disposed of.

(M. S. KARNIK, J.)