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

BAIL APPLICATION NO.2506 OF 2023

VINOD MOTIRAM NAVNAGE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Dileep Satale for the applicant.
Mr. N. B. Patil, APP for the State.
Suhas Vitthal Patil, PSI, Pune City.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 8, 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 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 28.01.2020 vide C.R. No.24 of 2020 with Shivaji Nagar Police Station, Thane.
- 3.** The FIR was registered on 28.01.2020. It is the case of the informant that on the pretext of guaranteeing the employment with the Public Works Department, he parted a

sum of Rs.10,20,000/- in favour of the accused No.1. The applicant is the accused No.3. It is the prosecution case that the accused Nos.1, 2 and 3 are working hand in glove with each other. The complainant was familiar with the accused No.1. Accused No.3 projected that even his work of getting employment was done by the accused No.1. As a result of such a false representation the informant parted with the said amount believing that the accused No.1 could in fact help him to secure employment. Later it was realised that the complainant was cheated and hence the offence was registered.

4. Learned APP opposed the application for bail and submitted that there is one previous antecedent in the nature of C.R. No.284 of 2016 under Sections 420, 406 read with Section 34 of the IPC registered against the applicant.

5. The applicant was arrested on 05.03.2023. The investigation is complete and the charge-sheet has been filed. The maximum punishment under Section 420 is a term which may extend to seven years of rigorous

imprisonment. In the facts and circumstances of the present case the applicant can be enlarged on bail by imposing conditions. The previous antecedent cannot be a factor to deprive the applicant the facility of bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Vinod Motiram Navnage in connection with C.R. No.24 of 2020 registered with Shivaji Nagar Police Station, Thane 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 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.
- (e) 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.

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall surrender his passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)