



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

BAIL APPLICATION NO. 2480 OF 2023

DATTATRAY RAMDAS AVHAD ..APPLICANT
VS.
STATE OF MAHARASHTRA ..RESPONDENT

Mr. Aniket Nikam i/b Mr. Aashish Satpute for the applicant.
Mr. P. H. Gaikwad, APP for the State.
API-Vidya Patil, Khadakpada Police Station present.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 04, 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 406, 409, 420, 465, 467, 468, 471 read with 120B of the Indian Penal Code, 1860 registered on 18/04/2023 vide C.R. No.164 of 2023 with Khadakpada Police Station, Thane.
- 3.** There are in all 19 accused. The applicant is the accused no.2. The applicant was arrested on 18/04/2023.
- 4.** The applicant worked as an agent for procuring loan. He

helped co-accused Santosh Malekari to get a loan from Cosmos Bank. The accusation is that for facilitating such loan, the applicant forged the documents which enabled the said Santosh Malekari to get a loan. The loan amount was Rs.24,16,000/-. After the offence was registered on 18/04/2023, so far as Santosh is concerned, the entire loan amount was repaid on 21/04/2023.

5. Learned APP opposed the application for bail. There are 2 accused who are absconding. Factually so far the accusations against the applicant are concerned, the entire amount of loan has been paid. The applicant will face the consequences of the trial so far as other offences are concerned for which it is not necessary to keep him in custody.

6. There are no criminal antecedents reported against the applicant. The investigation is complete. The charge-sheet is filed. In the facts and circumstances of the present case, further custody of the applicant is not necessary. The applicant can be enlarged on bail by imposing stringent conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Dattatray Ramdas Avhad in connection

with C.R. No. 164/2023 registered with Khadakpada Police Station, Thane shall be released on bail on his furnishing PR. Bond of Rs.50,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the investigating officer of Khadakpada Police Station, Thane once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(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.

(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 not leave the area of Mumbai, Mumbai Suburban District and Thane District without intimation to the investigating officer.

(i) The applicant shall attend the trial regularly.

7. The application is disposed of.

(M. S. KARNIK, J.)