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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3379 OF 2022**

Devidas Mahadu Ghule

...Applicant

vs.

State of Maharashtra

...Respondent

Mr. Nitin Gaware Patil i/b Mr. Anandmaya Dhorde for the Applicant.
Mr. H. J. Dedhia APP for the Respondent-State.
Mr. Jayesh Chavan, API, Rabale MIDC police station present.

CORAM : S. M. MODAK, J.

DATED : 9TH JUNE 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP for the Respondent-State.
2. The Officer is present. The Rabale police station have charge-sheeted three accused persons in respect of C.R. No.102 of 2021, registered under sections 418, 420, 465, 467, 468, 470, 471, 500, 188, 269 read with 34 of IPC. There are three accused persons. Out of them present Applicant is accused No.1. The FIR came to be lodged by one Birudeo Navnath Sarvade, who is working in Thyro Care Ltd. in its pathological laboratory.

3. The grievance is that certain reports of RTPCR tests were issued to the employees of one Pravin Industries Ltd. situated at TTC Industries Rabale MIDC, Navi Mumbai. These reports were issued on letter head of Thyro Care Ltd. They were 113 in numbers. It is disclosed that when representative Sameer Chavan of Pravin Industries Ltd. has visited office of Thyro Care Ltd. and inquired whether the test reports are issued by their company, it was revealed that the reports were not issued by their company and that's why offence came to be registered.

4. As per the FIR, one camp was organised for the employees of Pravin Industries Ltd. and the present Applicant, who is owner of Mid Town Diagnostic Laboratory, Thane has undertaken responsibility to carry out test and, in turn, he had appointed Mohammed Wasim Shaikh, who is accused No.2, who is technician and is owner of Perfect Health Technology, Kalyan. It was revealed that the Applicant was paid Rs.86,450/-.

5. Now the investigation is complete and charge-sheet is filed. The Applicant is behind bar since 2021. The co-accused Mohammed Wasim Shaikh is released on bail as per order dated 23rd February 2023, passed by this Court in Bail Application No.4439 of 2021

(Coram : M. S. Karnik, J.).

6. Learned Advocate invited my attention to the complaint filed by the Applicant to Vartak Nagar police station on 14th April 2021. It is there on page 105. He has elaborated how he is not responsible. Additionally, he claims that his client has refunded entire amount and relevant bank statement is on page 91. It was informed by Pravin Industries Ltd. In view of that the Applicant is certainly entitled to be released on bail. Hence, the following order is passed :

O R D E R

- (a) The Applicant-Devidas Mahadu Ghule be released on bail in connection with C.R. No.I-102 of 2021 registered with Rabale MIDC police station for the offences punishable under sections 418, 420, 465, 467, 468, 470, 471, 500, 188, 269 read with 34 of IPC, on furnishing personal bond and surety bond of Rs.25,000/-, with one or more sureties in the like amount.
- (b) The Applicant shall not threaten the prosecution witnesses or allure them in any manner.
- (c) The Applicant shall attend the trial punctually.
- (d) Needless to say, violating of the condition above will make the

Applicant liable for cancellation of bail, after notice to the Applicant.

7. Application is disposed of accordingly.
8. These are my prima facie observations and the trial Court may not be influenced by that.
9. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]