

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3487 OF 2022

Rahul Ashok Doiphode ... Applicant

Versus

The State of Maharashtra ... Respondent

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Dr. Uday Warunjikar alongwith Ms. Sonali Chavan for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.
Mr. Advait Shukla for the intervenor.

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CORAM : N.R. BORKAR, J.

DATED : 27 APRIL 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 241 of 2022 registered at Baramati City Police Station, Pune for the offences punishable under Sections 420, 464, 467, 468, 470, 471, 120-B, 114 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the basis of false documents prepared by the present applicant and other co-accused in relation to land Gat No.93 at Village Lakdi, co-accused impersonated as the owner of the said land and executed sale deed in favour of the complainant by accepting Rs.1,15,00,000/- from him towards consideration.

5. The learned Counsel for the applicant submits that the applicant has nothing to do with the alleged crime. It is submitted that the applicant without prejudice to his rights and contention is willing to deposit Rs.8 lakhs.

6. On the other hand, the learned APP submits that the applicant is involved in one more crime of similar nature.

7. *Prima-facie*, the allegations of impersonation are against the co-accused Vicky alias Rohit Potdar. Considering the facts and circumstances of the case and as the applicant is in jail for about one year, I am inclined to release the applicant on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant - Rahul Ashok Doiphode be released on bail in Crime No. 241 of 2022 registered at Baramati City Police Station, Pune for the offences punishable under Sections 420, 464, 467, 468, 470, 471, 120-B, 114 of Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall deposit Rs.2 lakhs before his release and rest of the amount of Rs.6 lakhs within two months from the date of his release, in the trial Court.

(iv) The complainant is at liberty to file application for withdrawal of the said amount. If such application is filed, the trial court shall decide it on its own merits.

(N.R. BORKAR, J.)