



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

BAIL APPLICATION NO.665 OF 2024
WITH
CRIMINAL APPLICATION NO.2002 OF 2024

Sandesh @ Bablu S/o Shankar Pawar,
Age-28 years, Occu:Labour,
R/o. Plot No.03, Dev Dwarka Complex,
Bajaj Nagar, MIDC, Waluj,
Chha. Sambhajinagar

...APPLICANT

VERSUS

The State of Maharashtra,
Through Police Station Officer,
MIDC, Cidco, Chhatrapati Sambhajinagar.

...RESPONDENT

...

Mr. Vilas P. Savant Advocate for Applicant in Bail Application
No.665 of 2024.

Ms. P.R. Bharaswadkar, A.P.P. for Respondent – State.
Mr. Chaitanya C. Deshpande Advocate for Applicant in
Criminal Application No. 2002 of 2024.

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CORAM: S.G. MEHARE, J.

DATE : 15th JULY 2024

ORDER :

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the complainant.

2. The applicant seeks bail in Crime No. 604 of 2023 registered with MIDC Cidco Police Station, Chh. Sambhajinagar, District- Chh. Sambhajinagar for the offence punishable under Sections 406, 420, 201 read with Section 34 of the Indian Penal Code.

3. The allegations levelled against the applicant were that he assured the complainant for the job of his brother. The applicant and other co-accused cheated many people under the false promise to provide them employment and extracted huge amount. The investigator found that around Rs.19,00,000/- have been extracted from the people.

4. The applicant has deposited Rs.6,00,000/- with this Court on the earlier occasion and today he is ready with demand draft of Rs.2,00,000/- He has shown the bonafide. However, that may not be a ground to allow or reject the bail. The Court has to examine the facts of the case and the requirement of the applicant to be kept behind bars. It is not the duty of the bail Court to recover the amount for complainant. In this case the investigating has been completed. Nothing is to be recovered from the applicant. The applicant has roots at village Jategaon,

Taluka-Georai, District-Beed. Therefore, there is least possibility of his absconding. Considering his conduct and the role attributed to him, he deserves bail. Hence the following order:-

ORDER

- i) Bail Application stands allowed.
- ii) The applicant – Sandesh @ Bablu S/o Shankar Pawar be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in the above crime, on the condition that:-
 - (a) The applicant shall not evade the trial and attend the trial on each and every effective date.
 - (b) The applicant shall not tamper with the prosecution witnesses.
 - (c) The Registrar (Judicial) is requested to accept the demand draft of Rs.2,00,000/- drawn on ICICI Bank, Waluj Branch, Aurangabad, dated 15th July 2024.

(d) The complainant is allowed to withdraw the amount deposited by the applicant, with an undertaking that he would deposit the amount within four weeks if it is proved that he is not entitled to the said money.

(iii) Criminal Application No.2002 of 2024 stands disposed of.

[S.G. MEHARE, J.]

asb/JULY24