

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

CRIMINAL BAIL APPLICATION NO. 451 OF 2024

Shivputra Harivijay Bhosale

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Jaydeep D. Mane, for the applicant.

Mrs. Priyanka Rane, APP, for State-Respondent.

Mr. R. P. Tathe, ASI, Vijapurnaka Police Station, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 12th AUGUST, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure, the applicant is seeking bail in Crime No.63 of 2023 registered with Vijapurnaka Police Station, for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860 and Section 66-D of Information Technology Act, 2000.

3) The allegations against the applicant are of forgery. The applicant is in jail from last one and half years. As far as the antecedents are concerned, there are three antecedents against the applicant. However, the two are of the year 2004 and third one is of the year 2023, which is the similar one.

4) In the present matter, the charge-sheet has been filed after completion of the investigation and since the offence relates to documentary evidence, which is already in custody of the Investigating Officer. Hence, I am of the opinion that further custody of the applicant is not necessary.

5) The learned APP strongly opposing the present application on the ground that he is habitual. However, as I have observed that earlier two offences are of the year 2004 and third one is of in the year 2023. Furthermore, co-accused- Minakshi Gaikwad has already been released on bail.

6) In the circumstances, since there is unlikelihood that the trial will be concluded in near future, I am of the opinion that the applicant is entitled to grant of bail. Hence, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.63 of 2023 registered with Vijapurnaka Police Station, for the offences punishable under Sections 420, 465, 467, 468 and 471 read with Section 34 of the Indian Penal Code, 1860 and Section 66-D of Information Technology Act,

2000, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall attend the said Police Station on 1st and 16th day of every month between 12.00 noon to 2.00 p.m., till the conclusion of the trial except on the date of trial;

iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]