

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

CRIMINAL BAIL APPLICATION NO. 1088 OF 2024

Vivek Arun Ugale

...Applicant

Vs.

The State of Maharashtra and others

...Respondents

Ms. Anima Mishra with Anuj Singh, Advocate for Applicant.

Ms. Supriya Kak, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 6th 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. 184 of 2023 registered with Bhadrakali Police Station, Dist. Nashik, for the offences punishable under Sections 420, 406, 465, 468, 201 and 471 of the Indian Penal Code, 1860.
- 3) The allegations against the applicant is that he forged certain documents to obtained loan and succeeded in the same. It is alleged that the amount of loan was deposited in his account.

- 4) The application is being opposed on the ground that there are three similar antecedents against the applicant.
- 5) In the above referred backdrop, having gone through the charge-sheet and the relevant material collected by the Investigating Officer, it is evident that all the relevant documents and the material has already been seized by the police during the investigation and it is in the custody of police. The maximum punishment in the present offence is seven years whereas the applicant is in jail for more than one year.
- 6) In the above referred backdrop, though the learned APP has strongly opposed the application, I am of the opinion that further custody of the applicant is not necessary.
- 7) As far as the antecedents are concerned, and the apprehension expressed by the learned APP that if the applicant is released on bail, he may pressurize the witnesses and tamper with the prosecution evidence is concerned, the same can be addressed by putting certain stringent conditions.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 184 of 2023 registered with Bhadrakali Police Station, Dist. Nashik, for the offences punishable under Sections 420, 406, 465, 468, 201 and 471 of the Indian Penal Code, 1860, 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 on 1st and 16th day of each month between 10:00 am and 12:00 noon, till conclusion of the trial; except on the date of trial.
- v. 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;
- vi. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]