



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.21 OF 2024
IN
CRIMINAL APPLICATION (BA) NO.520 OF 2023
(Ramesh Mithu Rathod Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.R. Fule, Advocate for the applicant.
Ms Barabde, APP for the non-applicant/State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 08, 2024.

Heard.

2. By this application, the applicant is seeking interim bail in connection with Crime No.3/2023 registered with police station Mehkar, District Buldhana for the offence punishable under Sections 420, 406, 464 and 471 read with Section 34 of the Indian Penal Code.

3. This interim application is filed by the applicant for grant of interim bail as the marriage of his daughter is scheduled on 11/01/2024. He has also filed an application for bail on merit but learned Counsel for the applicant submitted that before deciding the bail application, applicant be released on interim bail considering his attendance is required in the marriage.

4. The applicant is arraigned as an accused in Crime No.3/2023 registered at police station Mehkar,

District Buldhana for the offence punishable under Sections 420, 406, 464, 471 read with Section 34 of the Indian Penal Code and he is arrested on 03/01/2023, since then he is behind bar.

5. As per the allegation, informant who is a food grain agent and doing his business at BSK market, Mehkar and he send the food grains at various places through Vijay Purohit, who is proprietor of Bharat Transport. On 22/12/2022, informant sent 201 quintal Soyabin at Viki's India Ltd. Shrirampur through Bharat Transport by Truck No.MH-23/W-0307. However, said truck did not reach at destination and during enquiry, it was revealed that the accused by preparing and using bogus and forged documents of the truck misappropriated the Soyabin. On the basis of said allegation, police station Mehkar has lodged the report against the present applicant.

6. Learned Counsel for the applicant submitted that the applicant is languishing in jail since the date of his arrest. Now, the marriage of his daughter is scheduled on 11/01/2024 and he be permitted to attend the marriage by releasing him on bail. He further submitted that the applicant is the only earning member in the family and his presence in the marriage ceremony of his daughter is required.

7. Said application is strongly opposed by the State on the ground that three other offences are already

registered against the present applicant, if he is released on bail there is every apprehension that he will not be available for trial and will abscond.

8. Considering the reasons mentioned in the application and the objection raised, the application is supported with the wedding card. The Investigating officer also collected the statement which is recorded by Loha police station to ascertain the fact regarding the marriage of the daughter of the present applicant. In view of that the applicant is made out the case to grant interim bail during the pendency of this application only for the purpose of attending the marriage of his daughter. In view of that, I proceed to pass the following order :

(i) The applicant – Ramesh Mithu Rathod in connection with Crime No.3/2023 registered with police station Mehkar, District Buldhana for the offence punishable under Sections 420, 406, 464 and 471 read with Section 34 of the Indian Penal Code, be released on interim bail on executing a PR.Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.

(ii) The applicant shall attend the Loha police station, District Nanded everyday i.e. on 09/01/2024, 10/01/2024 and 11/01/2024 twice a day between 10.00 a.m. to 1.00 p.m. and 4.00 p.m. to 8.00 p.m.

(iii) On 12/01/2024 the applicant shall surrender before the jail authorities i.e. before the Superintendent of Police, Central Prison, Buldhana, before 2.00 p.m. On failure to surrender before the jail authorities, the jail authorities shall immediately submit a report to this Court.

(iv) The applicant shall furnish his Cell phone number and address with the address proof.

(v) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

9. The application for grant of interim bail is disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*