



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

CRIMINAL APPLICATION (BA) NO.85 OF 2025

(Arvind Madhaorao Mohadikar 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. R.S. Kurekar, Advocate for the applicant.
Mr. A. Ghongre, A.P.P. for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 27, 2025.

Heard.

2. By preferring this application, the applicant seeking bail as he came to be arrested on 08/08/2024 in connection with Crime No.285/2024 registered with Police Station Ralegaon, District Yavatmal for the offence punishable under Sections 420, 465, 468, 471 and 473 read with Section 34 of the Indian Penal Code.

3. The crime is registered on the basis of report lodged by the informant who is working as a Civil Engineer in a Public Works Department. As his name was kept on the wait list on the declaration of the result, therefore, he was required to attend for document verification at Mumbai wherein he met Mallikarjun Patil who is the co-accused, Pravin Handrale, Pankaj Handrale and other co-accused who induced his brother-in-law to pay Rs.21,00,000/- for getting the said job. It is further alleged that the complainant has also received a phone call on his mobile phone and he was instructed to come at

P.W.D. Office, Thane for receiving the appointment letter. On 16/04/2024 he met with the co-accused Mallikarjun, he demanded to pay Rs.3,00,000/- in advance as such on the demand of the accused, the brother-in-law of the complainant made a payment through RTGS to the account of the co-accused Pravin Handrale. It is alleged that thus, on the pretext of giving a job and by furnishing him forged appointment letter the amount was obtained from him and thus he is duped. On the basis of the said report, police have registered the crime against the present applicant and other co-accused.

4. Learned Counsel for the applicant invited my attention towards the recitals of the FIR and other investigation papers and the statement of the witnesses and pointed out that except the statement of the co-accused there is absolutely no material to connect the present applicant with the alleged offence. His name is not mentioned in the FIR. As far as the allegation that the applicant posed himself as Yogesh is not substantiated by any material. Thus, there is absolutely no material to connect the present applicant with the alleged offence. Now, investigation is completed and charge-sheet is filed, further incarceration of the present applicant is not required. In view of that, he be released on bail.

5. Learned APP strongly opposed the application and submitted that the involvement of the present applicant is in an economic offence who duped the complainant by obtaining the amount on a pretext of

providing the job. If he is released on bail, he would himself in similar type of the offence. In view of that, the application deserves to be rejected.

6. I have heard learned Counsel for both the sides. Perused the investigation papers. As submitted by the learned Counsel that except the statement of the co-accused there is no material to connect the present applicant with the alleged offence. As far as the posing himself as Yogesh is also not substantiated by any material. Thus, considering now, investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Arvind Madhaorao Mohadikar in connection with Crime No.285/2024 registered with Police Station Ralegaon, District Yavatmal for the offence punishable under Sections 420, 465, 468, 471 and 473 read with Section 34 of the Indian Penal Code, be released on bail on executing a P.R.Bond in the sum of Rs.50,000/- with one solvent surety, in the like amount.

(iii) The applicant shall attend the concerned police station once in a month i.e.

on 1st day of every month between 10.00 AM and 1.00 PM, till culmination of the trial and the Investigating Officer shall record his presence.

(iv) The applicant shall not leave the jurisdiction of Nagpur district without prior permission of the Judicial Magistrate First Class, Ralegaon, District Yavatmal.

(v) The applicant shall surrender the passport if he is having before the Judicial Magistrate First Class, Ralegaon, District Yavatmal.

(vi) 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 either personally or by way of electronic media.

7. The contravention of any of the condition imposed by this Court would lead to the cancellation of bail.

8. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)