

MHBI040013092022



ORDER BELOW EXH.1 IN CRI. BAIL APPLN. No. 496/2022

Anita @ Savita w/o Pravin Rathod

V/s.

The State of Maharashtra

01] The applicant **Anita @ Savita w/o Pravin Rathod**, **age 50 years**, filed regular bail application U/Sec.439 of Cr.P.C. in connection with Crime No. 125/2022 of Bardapur Police Station for the offences punishable U/Sec. 420 r.w.S.34 of IPC.

02] Perused the application, say of I.O/APP., investigation papers. Heard Ld.Adv. appearing on behalf of the applicant Shri. A.R.Lomte and Shri. S.V.Munde Ld. APP appearing on behalf of the State at length.

03] Very firstly, it appears that, as per F.I.R. given by one Uttam Nathrao Chavan, aforesaid offence is registered against the present applicant. He stated in his complaint that, he is residing at village Kusulwadi Tanda, along with his wife Smita. He doing agricultural work as well as sugar cane Mukadam, as well as he is owner of the tractor. Applicant/accused Anita Pravin Rathod, had came for doing labour work in the farm of his father-in-law Shivaji Rathod. Marriage of daughter of applicant/accused Anita was solemnized with Vijay Narayan Pawar resident at Chatori Tq. Palam Dist. Parbhani. So Vijay Pawar was having visiting terms at the house of applicant/accused Anita Rathod. So he was knowing

to Vijay and Anita. He was possessed tractor. He was intend to engage his tractor towards sugar factory. Therefore, he discussed with Anita and Vijay. Then on 24-07-2021 there was contract with Vijay Pawar and Anita Rathod. So Anita Rathod and Vijay Pawar agreed by accepting Rs.16,00,000/ that they will provide labours, but on that day an amount of Rs.2,00,000/- were given. Later on he paid remaining amount to them, but as per terms of the contract they did not provide labours. Hence, they did not repay the said amount. So it is his contention that they cheated to him. Therefore, he lodged the compliant.

04] Further, it appears that, on the basis of said complaint aforesaid offence is registered against the present applicant and another accused. But on perusal of the entire investigation papers, as well as affidavit of the informant, as he strongly objected for granting bail to the present applicant. So it appears that, it is a transaction in between the parties which is relating to civil money transaction. It is his contention that the present applicant along with other accused cheated to him.

05] Present applicant arrested on 30-09-2022. After sufficient P.C.R. she is taken in to M.C.R. on 02-10-2022 and since then she is in Jail. However, considering the entire investigation papers, it appears that, nothing is to be recovered from the present applicant. So considering the say of I.O. , affidavit of the applicant, and considering the nature of the offence, involvement of the present applicant in the said crime, she is entitled to be released on bail on certain conditions.

Hence, I proceed to pass following order.

::O R D E R ::

- 01] Application is allowed.
- 02] Applicant **Anita alias Savita w/o Pravin Rathod age 50 years**, who is involved in Crime No.125/2022 registered with Bardapur Police Station for the offence punishable U/Sec. 420 r.w. 34, be released on regular bail on furnishing P.B. of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two solvent surety of like amount.
- 03] Applicant/accused shall remain present before I.O. for further investigation if any on each Monday in between 10.00 a.m. to 1.00 p.m. and co-operate to the I.O.till filing of charge sheet.
- 04] The applicant/accused shall not tamper with the prosecution evidence in any manner.
- 05] Bail beore Ld. J.M.F.C. Ambajogai.

Date : 20.10.2022.

(**V. K. Mande.)**
Addl.Sessions Judge,
Ambajogai.

Certificate:-

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 20.10.2022

Transcribed on: 20.10.2022

Checked and signed on : 20.10.2022.

Sd/-
(V.L.Bhalekar)
Stenographer Gr-1.