



ORDER PASSED BELOW EXH.15 IN
RCC NO. 5/2023.
(CNR NO.MHPU170000452023.)

1. This is an application on behalf of accused No.1 Anand Ashok Udawant for releasing him on bail.
2. It is contended that, there is no prima facie evidence against accused No.1. He is in jail for more than 90 days. The investigation is completed and charge-sheet is filed in the Court. Accused No.1 is ready to give bail. He is only bread earner of his family. He is ready to abide each & every conditions, if he is released on bail. Therefore, he prayed for allowing application.
3. Ld. APP for State filed his say contending that, offence is serious in nature & it is non-bailable. Accused have cheated huge amount of Rs. 40,64,300/- & it is to be recovered. The cheated persons are the agriculturists, common people. The offence is punishable with life imprisonment. If accused No.1 is released on bail, he will not co-operate with investigation and wrong message will go in society. If accused is released on bail, he will hamper & tamper with prosecution evidence & witnesses. He will dispose off the cheated amount. Therefore, he prayed for rejection of an application.
4. On behalf of Shriram Transport Company Sunil Karande has filed his affidavit. Accused have misappropriated

huge amount of company. It is submitted that, the Hon'ble Sessions Court, Baramati pleased to reject the Anticipatory Bail Application No.338/2022. Thereafter, accused No.1 preferred Anticipatory Bail Application No.1241/2022 before the Hon'ble Bombay High Court, Bombay. Accused No.1 withdrawn the said application on 21/09/2022. The allegations against accused are serious. The amount is still not recovered. Accused No.1 made forged documents for cheating & misappropriation of money. If accused No.1 is released on bail, it will be difficult to seize the amount from him. Accused has made forged electronic records. The FIR bearing No.164/2022 is registered against accused No.1 at Bhigwan Police Station, Tal. Indapur. Therefore, he prayed for rejection of bail application.

5. Perused application, say. Heard.

6. Considering aforesaid mentioned facts & circumstances of case, it appears that, the accused is charge-sheeted for offences punishable under Section 420, 406, 408, 409, 465, 468 read with Section 34 of I.P.C. The investigation of an offence is completed. The Investigating Officer filed charge-sheet against accused Nos. 3 to 5 as they are absconded. The accused Nos. 2 & 6 are released on bail. It appears that, much time will lapse for securing presence of absconded accused. Much time will lapse to start the trial. Further, it appears that, much time will lapse for conclusion of trial. No purpose would be served by keeping the accused behind the bar.

Therefore, accused No.1 deserves to be released on bail, subject conditions. Hence, I proceed to pass following order.

ORDER

1. Application is hereby allowed, subject to conditions as under.
2. Accused No.1 is released on bail on execution of P.R.Bond and Surety Bond of Rs.15,000/- each, on the following terms and conditions-
 - i. He shall remain present on each & every date before this Court.
 - ii. He shall not hamper and tamper with the prosecution evidence and witnesses in any manner.
 - iii. He shall not make any contact with witnesses in any manner.
 - iv. He shall give his and two close relatives permanent address proofs & mobile numbers.

Indapur.

Date : 25-01-2023.

(P.L.Patil)

Judicial Magistrate First Class, Indapur.

CERTIFICATE

I affirm that the contents of this P. D. F. file
Order are same word for word as per original Order.

Name of the Steno :- R.S.Parve,
Stenographer (Grade-III)

Name of the Court :- P.L.Patil,
C.J.J.D. & J.M.F.C., Indapur.

Date of Order :- 25/01/2023.

Order signed by
presiding officer :- 25/01/2023.

Order uploaded on :- 30/01/2023.