

Order below Exh.01 in Cri. Bail Application
No.731/2022.

(Rahul Ananda Dhanawade Vs. State of Maharashtra)

CNR NO: MHST01-002871-2022

1. This application has been file by the accused as his bail application was rejected by learned J.M.F.C. Medha in C.R.No.168/2022 in which he is alleged to have committed an offences punishable under Sections 420, 465, 466, 467, 468, 471 of the Indian Penal Code. The allegations against the accused are that he has forged the certificates that are given to the informant from the office of the Tahasildar. The accused is arrested on 01.10.2022 and was given Police Custody till 04.10.2022. After that, police have not sought further Police Custody. But the bail application has been rejected by learned J.M.F.C. on the ground that previous offences are pending against accused.

2. Applicant contends that he is falsely implicated in this case. The accused will abide by all the conditions imposed by this Court. Accused has not prepared any false documents and is made a scape goat by some interested people. Applicant has only given Domicile Certificate and Income Certificate to the informant Suvarna Gole. Other documents are not given by him. The bail application be granted and accused is ready to abide by the conditions as imposed by this Court.

3. This application was filed on 07.10.2022. The Ld.A.P.P. was issued notice to file say on 10.10.2022. After that, Ld. A.P.P. filed three applications and sought time to file say. Last

chance was given to Ld.A.P.P. on 19.10.2022 but no say filed till date. Hence this application is decided without say of the prosecution.

4. Heard Ld. Advocate for the accused. He has argued that the accused has been falsely implicated in this case. He has fairly admitted that accused previously has also been accused regarding similar offence in the year 2016 but he is on bail and has abided all the conditions of the bail. Accused will not abscond and will remain present for the trial. Hence, bail application be allowed in the interest of justice.

5. Perused the order of the Ld. J.M.F.C. dated 04.10.2022. The bail application has been rejected on the grounds that the accused is also an accused in C.R.No.19/2015, 45/2015, R.C.C.No. 12/2020 and R.C.C.No. 05/2016 are pending against the accused. Considering the allegations it is held that the modus operandi of the accused, is that he is cheating government and Tahasildar by issuing bogus certificates. The offence being of serious nature and the accused is playing with career of the students, if the bail is granted that accused will commit similar type of offence. He is habitual. Hence, bail application has been rejected.

6. Perusing the order of the Ld. J.M.F.C., it can be seen that even though four criminal cases are registered against accused, but there is no conviction in any of them. Ld. Advocate for the accused has submitted that trial has not commenced in any of the alleged cases. There is no finding given by Ld. J.M.F.C. that the accused has breached any conditions of bail in the previous

cases. As there is no conviction against this accused, at present it cannot be said that he is a habitual offender. He has not breached any bail conditions. So bail application of accused can be allowed by imposing appropriate conditions with object in mind that he will not commit similar offence. Hence, I pass following order.

ORDER

1	Bail Application is allowed.
2	The accused be released on bail on the sum of Rs.15,000/- upon furnishing P.R.Bond and surety in the like amount.
3	Accused shall attend police station on every Thursday between 11.00 A.M. to 1.00 P.M. till filing of the charge-sheet.
4	Accused shall not commit similar offence or any offence of similar nature.
5	Accused shall not hamper the investigation or tamper with the prosecution evidence in any manner.
6	Accused to furnish bail in the Trial Court.

Satara.

Date : 20.10.2022

(P. P. Abhang)

Addl. Sessions Judge, Satara.

Bail Application dictated on	20.10.2022
Bail Application transcribed on	20.10.2022
Bail Application checked on	20.10.2022
Bail Application signed on	20.10.2022
Bail Application uploaded on	21.10.2022

Order below Exh.1

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