

**Order below Exh.01 in Cri.B.A.No.1291/2022**

CNR No.MHNS010054362022

(Prashant Gulabrao Patil vs. State)

The applicant has preferred this application for anticipatory bail praying therein that he may be released on bail in the event of arrest in connection with CR.No.I-302/2022 registered with Bhadrakali police station for the offence punishable under Sec.420, 465, 468, 471 of IPC, on the basis of FIR lodged by Sau. Sunanda Suresh Wagh.

2. Bail application is filed on the ground that the applicant is innocent and has been falsely implicated in the case. That he never acquainted with informant or Y.D.Bytco Girls High School Education society. He has never accepted any amount. He has co-operated in the investigation. That he has never prepared any bogus document. His wife is 8 months pregnant. He will not pressurize witnesses. There are no criminal antecedents against him. He is ready to abide by terms and conditions imposed by the court. On these main grounds and others have prayed for bail.

3. Notice was issued to State. State appeared through Ld. APP Smt.Sangle and filed say resisting for grant of application on the grounds that it is transpired that accused has prepared bogus order by accepting amount from accused Sunita Shivaji Aher. Custodial interrogation with accused is necessary. Investigation is to be done with respect to the fact that whether previously also the accused has prepared bogus orders and whether he has purchased

any movable or immovable property from the amount accepted by Sunita Shivaji Aher. On these main grounds and others have prayed for rejection of the bail application.

4. Heard Ld. Advocate Mr.Sharma for applicant. Perused bail application. Heard Ld. APP Smt.Sangle. Perused police papers and say filed by Bhadrakali police station.

5. On perusal of FIR, it states that Sunita Aher is teacher with Y.D.Bytco Girls High School and Junior College since 1.7.2017. The Principal of this college had sent proposal on 11.01.2021 about continuation of service of Sunita Aher to the Deputy Director, Education department, Nashik. On 9.5.2022 Sunita Aher produced one letter signed by Deputy Director, Education department. This letter was dated 30.5.2021. However, order was not received by the school. Doubt arose in the mind that the signature of Mr.Upasani is forged. The informant further sent copy of this letter to their Chairman Shri.Prakash Vaishampayan. He contacted with Mr.Upasani who replied that signature does not belong to him. Accordingly, letter was written to the office of Deputy Director and vide reply dated 27.05.2022, it was informed to the Education Institute that the signature does not belong to Mr.Upasani. Accordingly, inquiry was initiated by the office bearers of Deputy Director of Education, Nashik. At that time, Smt.Sunita Aher revealed that she has paid Rs.12 lacs to Prashant Gulabrao Patil [present applicant] who in turn has issued this forged letter.

6. The investigation further reveals that involvement of the

applicant in the crime. Allegations faced by him are that he took Rs.12 lacs from Smt.Sunita Aher to issue forged order signed by Mr.Upasani. There is prima facie case against the present applicant for having forged document. The record shows that Investigating officer issued notice under Sec.41(1) of Cr.P.C. on 7.10.2022 requiring the applicant to be present before him on 10.10.2022. This fact can also be gathered from the contentions in the bail application. According to Investigating Officer, the applicant did appear before him, but on the pretext that his wife is pregnant, left the police station with the assurance that he will again come back, but thereafter, has not attended the police station and filed this anticipatory bail application. Thus, the conduct of the applicant shows that he is not ready to co-operate with investigation machinery. Hence, considering prima facie case, necessity of custodial interrogation and conduct of the applicant, discretion in nature of anticipatory bail cannot be exercised in favour of the applicant. Hence, I proceed to pass following order :

**ORDER**

(1). Application stands rejected.

Nashik.

Date : 02.11.2022

( V. P. Desai)

Additional Sessions Judge,  
Nashik.