

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, NASHIK**  
**AT – NASHIK.**

**Criminal Bail Application. No.117 of 2022**

**CNR No.MHNS010003012022**



**Parashuram Bhausahab Aher**

Age : 24 years, Occu.: Agriculture  
R/o : Row-House No.4, Garden View,  
Near Maruti Temple, Hanuman Nagar  
Nashik.

... Applicant

**V/S**

State of Maharashtra  
Through Deolali Camp Police  
Station.(C.R. No.I-112/2021)

... Respondent.

**Appearance :**

Ld. Adv. Shri. A. J. Bhide for Applicant.  
Ld. A.P.P. Sachin Gorwadkar for Respondent.  
Shri. L. Y. Pathan, PSI (I.O.) present.

**ORDER BELOW EXH. NO.1**  
**(Delivered on 04<sup>th</sup> February, 2022)**

1. Read the application and say filed by the respondent vide Exh.4. Heard Ld. Advocate for the applicant, Ld. A.P.P. for the State and the I.O. present in the Court.
2. Crime stood registered bearing C.R. No.112 of 2021 with the respondent Deolali Camp Police Station for an offence punishable under Sections 417, 420, 465, 467, 468, 170, 171 of the Indian Penal Code and 6(1)(c), 6(2)C, 3, 6 (1)A and 6 (3)A of the Official Secrets Act.
3. Ld. Advocate for applicant submits that one Ganesh Pawar pretended and posed himself as an Officer from Artillery Center, Nashik

and he took money to the tune of Rs.15,00,000/- from the applicant on the pretext that he will given him service in the Army. They got acquainted with each other and therefore on the request of Ganesh Balu co-accused, the applicant gave his Laptop to him for his personal use. The applicant came to be arrested by the Police with an allegations that the applicant helped the co-accused Ganesh Pawar, in preparing Character Certificate and other documents required by the said Ganesh Pawar. Ld. Advocate submits that the applicant is the victim of the said Crime and instead of making him the witness of this case, he has been made an accused in this matter. He submits that the Laptop is seized from the possession of the applicant. Nothing is to be recovered or discovered at the instance of the applicant. No purpose will be served in keeping the applicant behind in bar. Therefore, prayed that the application to be allowed.

4. On the other hand, Ld. A.P.P. for the State argued in tune with the objections raised by the respondent in their reply. It is their case that, the applicant was instrumental in preparing the forged documents and helping the co-accused Ganesh Pawar. Therefore there is a prima-facie involvement of this applicant. Therefore, prayed to turned down the application.

5. Upon hearing and going through the material placed on record, what can be gathered is that, the remand report reflects that the custody of the applicant was sought by the respondent for investigation as regards the account statements with the Bank of accused Nos.1 & 2. In the application in hand, it is categorically mentioned as to how the amount of Rs.15,00,000/- came to be paid to the co-accused Ganesh Pawar. It seems that the I.O. did not counter verify or investigate in this

regard. In the account statements, which is filed alongwith main application, it reflects that an amount of Rs.14,00,000/- has been transferred by the applicant from his account and his relatives accounts to the account of co-accused Ganesh Pawar. It is not the case of the respondent that the applicant alongwith co-accused Ganesh Pawar had collected the amount or the applicant had collected the amount for the said co-accused Ganesh Pawar. The only role attributed to the applicant is about using of Laptop for preparing documents. As the Laptop is seized and the investigation as far as applicant completed. Therefore, this Court finds that no purpose will be serve in keeping the applicant behind the bar, when he is otherwise entitle for bail. As far as, the other grounds and the apprehension raised by the respondent is concerned, those can be taken care by imposing certain conditions upon the applicant. In the result, the application succeeds. Hence, the order.

**ORDER**

1. Criminal Bail Application No.117/2022 is allowed.
2. Applicant Parashuram Bhausahab Aher be released on bail in connection with C.R. No.112 of 2021 registered with respondent Police Station, on his executing a personal bond of Rs.25,000/- with one or more solvent sureties in like amount to the satisfaction of the concerned J.M.F.C. Court.
3. Applicant Parashuram Bhausahab Aher not to threaten and pressurize the complainant and witnesses and to co-operate the Investigating Officer in the investigation as and when he calls him under prior written intimation.
4. Bail before the Ld. Magistrate's Court.
5. Office to inform this order to the respondent.
6. In the above terms, Criminal Bail Application No.117/2022 stands disposed off accordingly.

Place : Nashik.  
Date : 04/02/2022

**(M. H. Shaikh)**  
Additional Sessions Judge, Nashik.