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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 163 OF 2015

Hanumant Navnathrao Bade

APPLICANT

VERSUS

The State of Maharashtra & Another

RESPONDENTS

.....

Mr. S. J. Salunke, Advocate for the applicant

Mr. R. P. Phatke, APP for respondent State

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[CORAM : T.V.NALAWADE, J.]

DATE : 29th JANUARY, 2015

ORDER:

1. The application is filed for the relief of anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.

2. The crime is registered for the offence punishable u/s 420, 468, 471 r/w 34 of the Indian Penal Code in Beed (Rural) Police Station at Crime No. 43 of 2014 on the basis of report given by one Deorao, Secretary of the Marketing Committee, Majalgaon, District-Beed.

3. The incident in question took place on 05.04.2014. Employees of the marketing committee intercepted one truck

and they found that there was bogus receipt of the market fees with the driver of the truck and an amount of Rs.2,500/- was collected from him by giving a false receipt. The driver was then made to pay regular market fees and the report came to be given.

4. Present applicant was working with the marketing committee in the year 2006 and also in 2012-13. He was not given the job in 2013-14 as his work was not satisfactory. Learned APP made a statement that in the past also he was doing the work of collecting market fees, however, he has not given account of the fees collected in the past also and a notice in that regard was also given to him. The Secretary and other employees of the marketing committee realized that it was the act of the present applicant. They have made allegations that the present applicant has printed false and bogus receipt books of the marketing committee and that way he is collecting fees from the persons from the campus of the marketing committee.

5. Whenever there is such an incident, thorough investigation, after custodial detention of the accused, is necessary. Possibility that present applicant has got printed many such receipt books and he has collected huge amount in

the past cannot be ruled out and unless there is custodial interrogation, the information will not come out and the bogus receipt books cannot be recovered. Even the press, from where the receipt books are got printed, cannot be ascertained and identified.

6. There cannot be any investigation of the matter unless and until there is arrest of the applicant and there is custodial interrogation. It is not a fit case to grant relief of anticipatory bail. In view of aforesaid, the criminal application is rejected.

7. These observations are for the purpose of present proceedings only.

[T.V.NALAWADE, J.]