

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2264 OF 2015

Bapurao Vithal Patil (Padval)

.... **APPLICANT**

V E R S U S

The State of Maharashtra & Ors.

.... **RESPONDENTS**

.....

Mr. Milind Patil, Advocate for Applicant.

Mr. A.V.Deshmukh, A.P.P. for R – 1 State.

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CORAM : V.M.DESHPANDE, J.

DATE : 30th APRIL, 2015

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PER COURT :

1. This is an application for anticipatory bail since the applicant is apprehending his arrest in connection with Crime No. 8/2015 registered with police station Pimpalgaon Hareshwar, Dist. Jalgaon for the offences punishable u/s 406,408,409,465,467,468,471,474,477,420,120(B) read with 34 of the Indian Penal Code.

2. Heard Mr. Milind Patil, learned counsel for the applicant and Mr. A.V.Deshmukh, learned A.P.P. for respondent No. 1 – State.

3. F.I.R. is lodged on 09/02/2015 by Abhay Sharad Patil against 35 persons including the present applicant. Present applicant was the member of Managing Committee of Samaj Vikas Mandal at Shindad. Said Trust runs the residential hostel for the students belonging to backward community. Present applicant is elected member of the Managing Committee of said Trust. The nature of allegations against present applicant and other accused persons is that bogus students were shown in the said hostel by creating bogus record and also fabricating the record of the Trust and thereafter the grant from the Government was claimed. Present applicant is the signatory of all the resolutions. Reply filed on behalf of Investigating Officer clearly shows that statements of some students were recorded, wherein it is found that in spite of the fact that they are resident of Shindad, their residence is shown out side Shindad and they were shown to be the students admitted in hostel and grant was claimed for and on their behalf. Further, applicant being the member of Managing Committee, can not run away from his responsibility.

4. Worth to note here that this Court has already declined to grant relief of anticipatory bail to the persons who are similarly placed as like of the present applicant. The nature of accusations made in the F.I.R. are very serious. By creating false and fabricated documents, applicant and other co-accused persons have drawn huge amount from the State exchequer and that has been mis-appropriated by them. The investigation is at very primary stage. In that view of the

matter, custodial presence of present applicant is absolutely required.

5. Hence, Present Criminal Application is rejected.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 2264.2015