

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 2684 OF 2015.

SIDHARAM S/O MALKARJI MANE.
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Anant R. Devakate, Advocate for the Applicant.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 1st July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.159/2014 registered with Police Station, Tuljapur, District - Osmanabad for the offences punishable under Section/s 420, 408, 465, 468, 471 of the Indian Penal Code.

[2] Heard Mr. Anant R. Devakate, learned counsel for the Applicant and Mr. A.S. Shinde, learned Additional Public Prosecutor for the State,

[3] First Information Report is lodged by Anil Motiram Shendarkar, who is Assistant Commissioner, Social Welfare Department, Osmanabad.

At Tuljapur there exist Dr.Babasaheb Ambedkar Hostel for girls and boys belongs to the backward classes. It is not in dispute that, present Applicant was serving as 'Rector' of Boys Hostel and also Incharge of Girls Hostel. Allegations in the First Information Report is that, present Applicant has prepared bogus documents in respect of payment made to the Maharashtra State Co-Operative Consumers Federation Limited, Mumbai, Branch Latur and thereafter, withdrawn the amount and misappropriate the same, is the sum and substance of the allegations made in the First Information Report.

[4] The Applicant is arrested on 27th April, 2015. Initially he was remanded in the Police Custody Remand and thereafter he was taken into M.C.R. Though charge sheet is not filed in the present case, all the document pertaining to the offence are already seized and they are in custody of the Investigating Officer. Further even according to the First Information Report, Applicant is retired from his service on 31st May, 2014. In that view of the matter, now he has no control what so ever over the day-to-day activity of the office or Hostel.

[5] Looking to the fact that investigation in so far as present Applicant is concerned is already over and the documents are already in custody of the Investigating Officer, the Applicant who is in jail since 27th April, 2015 can be released on bail by imposing certain conditions. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant - SIDHARAM S/O MALKARJI MANE shall be released regular bail on he executing P.R. Bond of Rs. 50,000/- [Rs. Fifty Thousand.] with two solvent sureties in the like amount, in connection with CR No.159/2014 registered with Police Station, Tuljapur, District - Osmanabad for the offences punishable under Section/s 420, 408, 465, 468, 471 of the Indian Penal Code.
- (iii) Bail before trial court.
- (iv) The Applicant shall attend Police Station, Tuljapur, District – Osmanabad twice a week, preferably on every Sunday and Tuesday, between 10.00 a.m. to 2.00 p.m., till charge sheet is filed.
- (v) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)