

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3065 OF 2015**[Babu s/o Gangaram Kundale Vs The State of Maharashtra & anr.]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri R.K.Ashtekar, advocate for applicant
Shri V.H.Dighe, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.**DATED : 2nd July, 2015****PER COURT :-**

1] Heard Shri R.K.Ashtekar, learned counsel for applicant and Shri V.H.Dighe, learned Additional Public Prosecutor for the respondent/State. In view of waiver of notice by the learned Additional Public Prosecutor for respondent no.2, service is complete.

2] This is an application for anticipatory bail, since the applicant is apprehending his arrest in connection with Crime No. 106 of 2015, registered with Ahmedpur police station, District Latur, for the offences punishable under Sections 420, 409, 467, 468, 471 r/w 34 of the Indian Penal Code.

3] The first information report is lodged by Tanaji Manikrao Jadhav. He discharges his duties as Assistant Manager in the recovery department of the District Central Cooperative Bank, Latur. According to the first information report, present applicant was Branch Manager of Hadolti Branch from 25.7.2014 to 15.11.2014. During this period, one Govind Sahdev Bhosale was also there as Cashier. According to the first information report, there is misappropriation of Rs.4,89, 750/- at the said Branch.

4] Perusal of the first information report would clearly reveal that the entire allegations of creating bogus documents is against Govind Sahdev Bhosale. Lastly only there is a reference that co-accused Bhosale in collusion with the present applicant has done the said misappropriation. Learned Additional Public Prosecutor states that, from the statement of the account holder, it is Bhosale who has put bogus signature of the account holder and amount is withdrawn.

5] It is informed to this court that Bhosale was arrested and he is released on bail by the learned trial court. Present applicant is already suspended from service. The nature of accusation made against the present and the fact that the applicant is suspended from service, he does not have any control over any of the official record of the Bank. Hence, application of the applicant can be considered favourably.

ORDER

- (i) Criminal Application is allowed.
- (ii) Interim order, dated 17.6.2015 stands confirmed.
- (iii) Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap3065.15