

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

CRIMINAL APPLICATION NO. 3423 OF 2015

Ramrao s/o Bhivaji Khandare

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. B.S.Kudale, Advocate for Applicant.

Mr. A.S.Shinde, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 16th JULY, 2015

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PER COURT :

1. This is an application for grant of bail. Applicant is arrested in connection with Crime No. 49/2015 registered with Akhada Balapur police station, District Hingoli for the offences punishable u/s 420,464,468,471 of the Indian Penal Code.

2. Heard Mr. B.S.Kudale, learned counsel for the applicant and Mr. A.S.Shinde, learned A.P.P. for respondent – State.

3. F.I.R. is lodged by the Extension Officer of

Panchayat Samiti, Kalamnuri. According to F.I.R., present applicant, who is the Sarpanch of Gram Panchayat Belthar, has collected amount on account of water tax and in stead of depositing the said amount of water tax in the account of Gram Panchayat, he has spent the said amount.

4. Investigation papers contain the Enquiry report from the Extension Officer of Panchayat Samiti, Kalamnuri dated 04/06/2014. Said report shows that during the enquiry, statement of present applicant was recorded. From the said report, it is clear that the present applicant has collected the amount of water tax from the Head Master of Ashram school. However, said amount was spent by him for repairs of pipe line, motor pump and also for cleaning the drains, etc. Said report shows that, *prima facie*, present applicant since has accepted the amount and spent the same, is responsible for the same.

5. Applicant is arrested on 10/06/2015 and since then he is in jail. Investigation papers shows that the entire investigation is over and only the formality of filing of charge sheet remain to be done.

6. In that view of the matter, looking to the aforesaid nature of the accusations made against the applicant, he can be released on bail. That leads me to pass the following order.

(i) Present Criminal Application is hereby

allowed.

- (ii) Applicant Ramrao s/o Bhivaji Khandare be released on bail in connection with Crime No. 49/2015 registered with Akhada Balapur police station, District Hingoli for the offences punishable u/s 420,464,468,471 of the Indian Penal Code on he executing P.R. Bond of Rs. 10,000/- [Rupees Ten Thousand] with one solvent surety of like amount. Bail before the trial Court.
- (iii) With these observations, Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]