

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

CRIMINAL APPLICATION NO.4658 OF 2015

Manisha w/o Mahendra Deshmukh,
Age 45 years, Occu. Household,
R/o Sangvi Benak, Taluka Mukhed,
District Nanded

..Applicant

Versus

The State of Maharashtra,
through Mukhed Police Station,
Mukhed, District Nanded

..Respondent

Mr S.J. Salunke, Advocate h/f Mr M.S. Deshmukh, Advocate for
applicant
Mr S.M. Ganachari, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 27th October 2015

PER COURT

1. The applicant, who is Vice Sarpanch of the village panchayat, is booked in Crime No.51 of 2015 registered at Mukhed Police Station, District Nanded, for the offences punishable under Sections 406, 420, 465, 468, 471 read with Sec.34 of the Indian Penal Code, is seeking pre-arrest bail.

2. The case of the prosecution against the applicant is, the applicant has transferred an amount to the tune of Rs.6,00,000/- to her account from the account of Gram Panchayat in the said capacity and also as Chairman of the Water Supply Committee.

3. Mr Salunke, learned Counsel for the applicant, while trying to make out the case for grant of pre-arrest bail would urge that the applicant, a lady has transferred the amount to her account pursuant

to the development work executed by her along with Sarpanch in view of Gram Panchayat Resolution dated 26th January 2015, as the Sarpanch and herself have incurred the personal expenses for executing the work of digging of well and making water available to the residents of the village.

4. Prima facie, upon perusal of the contents of first information report, it is required to be noted that in whatsoever case may be, it is not open for the applicant to transfer the amount to her personal account, from the Gram Panchayat account, when the said amount was received from the government in aid of execution of developmental activities.

5. There appears to be prima facie involvement of the applicant in commission of crime in question. As such, the application fails, stands rejected.

(N.W. SAMBRE, J.)

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