

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

CRIMINAL APPLICATION NO. 5862 OF 2015

Jaywantrao Gulab Patil

..... **APPLICANT**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. K.C.Sant, Advocate for Applicant.

Ms. S.S.Raut, A.P.P. for Resp. - State.

.....

CORAM : INDIRA K. JAIN, J.

DATE : 14th DECEMBER, 2015

ORAL ORDER :-

1. Here is an application for regular bail in Crime No. 154/2014 registered at Dharangaon police station, district Jalgaon for the offences punishable u/ss 420,465,468,470,473,471,409 read with 34 of the Indian Penal Code.

2. Heard Mr. K.C.Sant, learned counsel for applicant and Ms. S.S.Raut, learned A.P.P. for Respondent – State. Perused papers of investigation.

3. One Trambak Tukdu Sawant resident of

Chamgaon lodged report stating therein that Chairman, Secretary of Vividh Karyakari Sahakari Society, Chamgaon with applicant and others in collusion committed mis-appropriation of 5,63,500/-. It is further alleged that the said amount was sanctioned towards loan to the farmers but by creating false and fabricated documents accused withdrew the amount and used the same for their personal gain.

4. It can be seen from the statement of eye witness Sharad Wani that applicant was Branch Manager of J.D.C.C. Bank from 01/06/2014 to 02/07/2014. The period of occurrence of offence is June, 2013 to July, 2014. It means applicant's duration was for one month. No role of mis-appropriation or cheating is attributed to him. The only role attributed to applicant is that on the basis of withdrawal slips loan amount was disbursed.

5. Considering the allegations in F.I.R. and statements of witnesses against applicant, nature of offences alleged and severity of punishment, no purpose would be served by keeping the applicant in further custody. Investigation is over. Applicant is in custody since long.

6. Applicant is permanent resident of Dharangaon. There is no likelihood of his fleeing from justice. This Court is thus inclined to allow the application. Hence, the following order.

ORDER

- (i) Criminal Application No. 5862 of 2015 is allowed.
- (ii) Applicant Jaywantrao Gulab Patil is released on bail in Crime No. 154/2014 registered at Dharangaon police station, district Jalgaon for the offences punishable u/ss 420, 465, 468, 470, 473, 471, 409 read with 34 of the Indian Penal Code on P.R. and S.B. of ₹ 15,000/- [Rupees Fifteen Thousand] each.
- (iii) Applicant shall not tamper with the prosecution evidence and shall make himself available as and when required.
- (iv) Bail before the trial Court.

**[INDIRA K. JAIN]
JUDGE**