

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.530 OF 2015**

Shri Yadav Yashwant Bhange & Ors.Applicants.
Versus
The State of Maharashtra ...Respondent.

Mr. Kuldeep S. Patil i/by Mr. Prashant S. Hagare, advocates for the Applicants.
Mrs. R.V.Newton APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : April 27, 2015.

P.C.:

The applicants-accused are facing charges under Sections 409 read with Section 34 of the IPC in C.R.No.8 of 2015 at Baramati Taluka, District: Pune. It is the case of the prosecution that the applicants-accused, who are working in RTO office were supposed to deposit the money in treasury office at Baramati. The accounts officer found that during the span of 2010-2012, entries of Rs.73.76 lakhs could not be tallied properly and accordingly, objection was taken after verification. It was found that the applicants-accused nos.1 and 2, who were junior auditors and the applicants-accused nos.3 and 4, who were senior

clerks, whose duty was to deposit the said amount promptly in the Government treasury failed in depositing it immediately and there were lapses in depositing the said amount in time. Hence, they all are prosecuted.

2 The learned counsel for the applicants-accused has submitted that the applicants-accused have not committed offence. He submitted that there was delay in depositing the amount, however, the amount was not siphoned or there was no loss of amount to the Government treasury.

3 The learned prosecutor opposed the application, however, on instructions, she confirmed that the amount was deposited and there was no financial loss to the Government. In view of the submissions made by the learned counsel for the applicants-accused and the learned prosecutor, I hereby confirm the order of pre-arrest bail on the following terms:

i) In the event of arrest, the applicants/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.15,000/- each, with one or two sureties in the like amount;

ii) The applicants-accused shall attend the concerned police station as and when called.

4 Application stands disposed of.

(MRS.MRIDULA BHATKAR, J.)