

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 834 OF 2015

Mohan Pandurang Patil	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. A.H.H.Ponda i/b. Mr. Shailesh Kharat, Advocate, for the applicant.
Ms. P.P.Shinde, APP, for the State.
Mr. Dnyaneshwar Awate, PSI present.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 4th August, 2015.

P.C.

Heard. This is an application under Section 438 of Cr.P.C.
The applicant herein is apprehending his arrest in Crime No.133 of 2015 registered with Wada Police Station for the offences punishable under Sections 420, 406, 408, 465, 467, 468, 471 read with Section 34 of IPC.

2. The applicant was working as a Liaisoning Officer with Supreme Infrastructure Pvt.Ltd. for a period of 8 months i.e. from 1.12.2011 to 24.7.2012. It appears from the records that the company i.e. Supreme Infrastructure Pvt.Ltd. was entrusted with the work of road widening by the government of Maharashtra. That the agriculturists, whose

lands were acquired for the said purpose, were compensated by the Government. There was also a provision that some of the agriculturists would be compensated by the company i.e. Supreme Infrastructure Pvt.Ltd.

3. It appears from the records that on 16.5.2015, Uday Joshi lodged a report at the Wada Police Station alleging therein that most of the agriculturists were given double payments and that the amount has been misappropriated. The applicant is also shown as an accused. Upon perusal of the papers of investigation, it appears that all the agriculturists have received payments made by the company as well as the Government. Prima facie, the applicant has not misappropriated any of the amounts. In view of this, the applicant deserves pre-arrest bail.

4. It is made clear that the observations made hereinabove are restricted to an application under Section 438 of Cr.P.C. only to determine as to whether custodial interrogation would be necessary and hence these observations shall not be considered for the purpose of quashing of FIR, discharge application or at the time of trial.

ORDER

(i) In the event of his arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- (ii) The applicant shall report to the concerned police station as and when called.

Application stands disposed of.

(SMT.SADHANA S.JADHAV, J.)