

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1203 OF 2015

Peram Raja Prasad Rao

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. V.V. Purwant for the Applicant.

Mr. S.S. Pednekar, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 27th NOVEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the aforesaid Applicant, who is an accused in C.R. No.317 of 2015 registered with Satara City Police Station, Satara, for the offences punishable under sections 465, 420 r/w. 34 of the IPC.

2. Heard Mr. Purwant for the Applicant and Mr. Pednekar for the Respondent -State. I have perused the submissions advanced by the learned counsels for the respective parties.

3. The Applicant herein was serving as a Principal in Jawahar Navoday Vidyalay, Khavli, Dist. Satara. One Prakash Eknath Sawant had lodged FIR on 22.6.2015 alleging that in the year 2005 there was

a vacancy of Mess Helper in the said educational institution. The complainant was one of the candidates, who had applied for the said post. He had received a call letter on 27.9.2005. Interview panel constituted four persons including the present Applicant. One Sachin Jalinder Mulik came to be appointed as a Mess Helper. Subsequently, the complainant learnt that said Sachin Mulik was related to one of the teachers of the said educational institution. After obtaining some information under RTI Act he learnt that said Sachin Mulik was student of 9th standard at Mukundraj Vidyalay, Shalgav. The Applicant herein had certified that Sachin Mulik was working as a Mess Helper in Navoday Vidyalay, Satara on daily wages basis since the year 2002. The complainant further alleged that there was misappropriation of Rs.6,000/- much prior to the year 2006.

4. The records reveal that the appointment of the said Mess Helper was of the year 2006. The complaint was lodged only in the year 2015. Prima facie there is delay in lodging the complaint. It is stated that the Applicant is already suspended. The nature of the allegations would not warrant custodial interrogation at this stage. The Applicant is residing at Jawahar Navoday Vidyalay Quarters hence, there are no chances of his absconding or fleeing from the course of

justice. Even otherwise the presence can be secured by imposing stringent conditions.

5. Under the circumstances, the anticipatory bail application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant, the Applicant be released on bail on furnishing P.R. bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of Judicial Magistrate, First Class, Satara.

(ii) The Applicant shall report to the Investigating Officer initially for four days between 10.00 a.m. to 1.00 p.m. and further as and when required by the Investigating Officer for the purpose of investigation and interrogation.

(iii) The Applicant shall not leave Satara without prior permission of Judicial Magistrate, First Class, Satara..

(ANUJA PRABHUDESSAI, J.)