

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

ANTICIPATORY BAIL APPLICATION NO.1461 OF 2015

Haridas Maruti Savare ...Applicant
Versus

The State of Maharashtra ...Respondent

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Mr. Anand S. Patil for the Applicant.

Ms Veera Shinde, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 23rd DECEMBER, 2015.

P. C. :

This is an application for anticipatory bail filed by the Applicant herein in apprehension of his arrest in Crime No.98 of 2015 registered with Shahuwadi Police Station, Kolhapur, for the offences punishable under sections 406, 408, 420 and 407 r/w. 34 of the IPC.

2. The allegations against the Applicant are that the Applicant and the other co-accused had misappropriated the amount of one Patsanstha by fabricating the records and also cheated the said Patsanstha.

3. Heard the learned counsel for the Applicant and the learned APP for the Respondent -State.

4. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties. The records prima facie reveal that the Applicant herein was secretary of Dnyaneshwar Vikas Seva Sanstha. One Digambar Tandale, additional auditor had lodged a complaint alleging that he had audited the accounts of the said Patsanstha for a period of 1.4.2012 to 31.3.2014 and that he had found that there was fraud and misappropriation of the amount to the tune of Rs.2,51,816/-. The said auditor had alleged that the Applicant and the chairman and the vice chairman were involved in committing the said crime.

5. It may be mentioned that the Applicant herein had already retired on 31.5.2013. Furthermore, the other co-accused i.e. chairman and the vice chairman have already been granted anticipatory bail. The Applicant has already joined the investigation and has been interrogated by the Investigating Officer. Considering all the above aspects, presence of the Applicant is not required in the custody for the purpose of investigation.

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

- (I) In the event of arrest of the Applicant in Crime No.98 of 2015 registered with Shahuwadi Police Station, Kolhapur, the Applicant shall be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand only) with one surety to the like amount to the satisfaction of the Judicial Magistrate, First Class, Shahuwadi.
- (II) The Applicant shall report to the Investigating Officer for seven days from 10.00 a.m. to 2.00 p.m. from the date of receipt of this order.
- (III) The Applicant shall not leave the jurisdiction of Kolhapur District without prior permission of Judicial Magistrate, First Class, Shahuwadi.

(ANUJA PRABHUDESSAI, J.)