

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.440/2015

(Bhagwat s/o Janardan Dende..vs..State of Maharashtra, thr. PS Saleksa, Dist. Gondia)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Prashant Thakre, Advocate for applicant.
Mr. Khan, A.P.P. for non applicant-State.

CORAM : A. B. CHAUDHARI, J.

DATE : DECEMBER 8, 2015.

Heard.

In Crime No.35/2015 registered with Police Station Saleksa, Dist. Gondia, for an offence punishable under Section 409 of the IPC, the applicant is seeking relief of anticipatory bail.

The additional reply filed by the learned A.P.P. shows that the Forest Department under which the applicant is working, is unable to give correct figures, documents etc. in the matter of alleged misappropriation as the internal audit of the department is going on.

Mr. Khan, learned A.P.P. submits that it is only after the internal audit report is received, requisition would be sent.

In that view of the matter, in the present case, the applicant deserves to be granted anticipatory bail with liberty to the prosecution to apply to this Court after forest department hands over internal audited report to the

Police Department for modification of the order or as the case may be.

In view of above, following order is passed.

ORDER

- (i) Criminal Application No.440/2015 is allowed.
- (ii) In the event of arrest in Crime No.35/2015 registered with Police Station Saleksa, Dist. Gondia, for an offence punishable under Section 409 of the IPC, the applicant-Bhagwat Janardan Dende be released on bail on he executing P. R. Bond in the sum of Rs.10,000/- with one surety in the like amount.
- (ii) Liberty is reserved in favour of the State to apply to this court for modification of this order after report of the internal audit is received by the concerned Investigating Officer, if so required.

JUDGE

kahale