

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

CRIMINAL APPLICATION (ABA) NO.447 OF 2015

Dilip Madhav Urkude

..vs..

State of mah., thr PSO, PS Brahmapuri

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

Court's or Judge's Order

Shri S.V. Sirpurkar, counsel for the applicant.

Shri A.D. Sonak, APP for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 30, 2015.

Heard.

By the present application under Section 438 of the Code of Criminal Procedure, the applicant is seeking the relief of pre-arrest bail, since the applicant is apprehending his arrest in connection with Crime No.103 of 2015 registered with Police Station Brahmapuri, District Chandrapur for the offences punishable under Sections 420, 408, 471, 465, and 468 of the Indian Penal Code.

The Block Development Officer has lodged a report on 1.8.2015. On perusal of the same it discloses that the enquiry was conducted against the present applicant as regards misappropriation of amount by showing bogus names of the labourers on the muster-roll of the Scheme known as Mahila Gandhi Rashtriya Gramin Rojgar Hami Yojana.

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Learned Addl. Public Prosecutor submits that during the course of investigation the statements of the witnesses are also recorded which show that the work has been done by the present applicant. The applicant is a Gram Sewak.

Learned Addl. Public Prosecutor submits that the entire record is already seized and in custody of the investigating officer.

In that view of the matter, I find that the custodial presence of the applicant is not warranted. Further, looking to the fact that since the applicant is a government servant, there is no possibility of non-appearance of the applicant to the course of justice.

This Court is of the view that the applicant has carved out a case in his favour for grant of anticipatory bail.

ORDER

1] The criminal application for grant of anticipatory bail is allowed.

2] In the event of arrest of the applicant in connection with Crime No.103 of 2015 registered with Police Station Bramhapuri, District Chandrapur for the offences punishable under Sections 420, 408, 471, 465, and 468 of

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the Indian Penal Code, the applicant be released on bail on his executing Personal Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

3] The applicant shall attend the concerned police station once a week and preferably on every Sunday between 3:00 pm to 5:00 pm, till the charge-sheet is filed by the investigating officer.

The criminal application is disposed in aforesaid terms.

JUDGE

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