

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

CRIMINAL APPLICATION (ABA) NO.507/2015

Ghanshyam s/o Keshav Uke ..vs.. State of Maharashtra, through PSO P. S.
Bramhapuri, Dist. Chandrapur.

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

Court's or Judge's orders.

Mr. S. V. Sirpurkar, Advocate for applicant.
Mr. S. S. Doifode, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.
DATED : OCTOBER 9, 2015

This is an application for anticipatory bail. The applicant is apprehending his arrest in connection with Crime No. 117/2015, registered with Police Station, Bramhapuri, Dist. Chandrapur for an offence punishable under Sections 420, 408, 465, 468, 471 of IPC.

Heard learned counsel for the parties.

The FIR is lodged by one Prakash Todewar. The FIR disclosed that an enquiry was conducted in respect of the implementation of MGNREGA Scheme at village Maldongir. In the enquiry, it was noticed that Rajesh Pardhi is responsible for recording names of those persons as labourers in spite of the fact that they never worked on the particular work. The said Rejesh Pardhi was already arrested.

According to the reply filed on behalf of the prosecuting agencies, during the custodial presence of the said Rajesh, he disclosed the name of the present applicant that at his behest, names of these persons were recorded in the muster roll. The

learned A.P.P. has also submitted that the persons who were not actually worked at the site but their names are shown in the muster roll. Their statements are also recorded. Even, according to the learned A.P.P., their statements do not disclose that their names were recorded in the muster roll at the behest of the present applicant. Thus, only evidence, which is collected against the appellant is statement of the co-accused. This is the only material against the present applicant.

In that view of the matter, the applicant has made out a case for grant of anticipatory bail. That leads me to pass the following order.

ORDER

(i) Criminal Application No.507/2015 is allowed.

(ii) Applicant-Ghanshyam s/o Keshav Uke, be released on bail in the event of his arrest in connection with Crime No.117/2015, registered with Police Station, Bramhapuri, Dist. Chandrapur for an offence punishable under Sections 420, 408, 465, 468 and 471 of the IPC, on he executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount.

(iii) The applicant shall attend Police Station Bramhapuri, Dist. Chandrapur once in a week on every Tuesday in between 3.00 p.m. to 5.00 p.m.

JUDGE