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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 518 OF 2016

Sanjay Narayan Pawar

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr S.S. Thombre, Advocate for applicant;

Mr S.M. Ganachari, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 17th February, 2016

ORDER :

Heard.

2. By the present application under section 438 of the Code of Criminal Procedure, the applicant seeks his release on pre-arrest bail, in connection with C.R. No.131 of 2015, registered with police station, Shiradhon, District Osmanabad, for offence punishable under section 409 read with section 34 of the Indian Penal Code.

3. The applicant submits that he is ready to deposit the amount of defalcation along with accrued interest with Vividh Karyakari Seva Sahakari Society, Karanjkala, Taluka Kallam, District Osmanabad by tendering the Demand Draft to the learned Addl. Public Prosecutor. Learned Addl. Public Prosecutor undertakes to hand over the Demand Draft to the Public Prosecutor, so as to ensure deposit thereof in the above referred society.

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4. As the applicant has shown his *bona fides* in the matter by tendering the Demand Draft with the learned Addl. Public Prosecutor for amount of defalcation along with accrued interest, in my opinion, custodial interrogation of the applicant is not necessary.

5. In view thereof, in my opinion, it will be appropriate to enlarge the applicant on pre-arrest bail. I, therefore, pass following order :-

In the event of arrest of the applicant, in connection with C.R. No.131 of 2015, registered with police station, Shiradhon, District Osmanabad, for offence punishable under section 409 read with section 34 of the Indian Penal Code, he be released on bail, on furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.

The applicant shall attend the concerned police station initially from 26th to 28th February, 2016, between 10.00 a.m. and 12 noon and thereafter as and when called by the Investigating Officer.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj