

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3602 OF 2016

Yogirao Nivrutti Gawandi,
Age : 53 years, Occu.: Service,
R/o Himayatnagar,
Tal : Himayatnagar, Dist : Nanded

.. Applicant
(Orig. Accused No.1)

Vs.

The State of Maharashtra,
Through Police Station,
Sindkhed, Tal : Mahur,
Dist. : Nanded

.. Respondent

WITH
CRIMINAL APPLICATION NO. 3503 OF 2016

Niraj @ Nana S/o Deorao Tatewar,
Age 66 years, Occu. Pensioner,
R/o Shraddha Nagar, Karla Road,
Pusad, Tq. Pusad, Dist. Yavatmal

.. Applicant
(Accused No.2)

Vs.

1] The State of Maharashtra,
Through Police Station Sindkhed,
Dist. Nanded

2] The Superintendent of Police,
Nanded, Dist. Nanded

.. Respondents

AND
CRIMINAL APPLICATION NO. 3542 OF 2016

Manikrao Bhimrao Kove,
Age : 55 years, Occu.: Service

as Headmaster, R/o Bamanguda (Khadi)

Tal : Mahur, Dist : Nanded

.. Applicant
(Orig. Accused No.3)

Vs.

The State of Maharashtra,

Through Police Station,

Sindkhed, Tal : Mahur, Dist : Nanded

.. Respondent

.....

Mr. V.D. Gunale, Advocate for applicant (3602/2016 and 3542/2016)

Mr. S.J. Salunke, Advocate for applicant (3503/2016)

Mr. A.S. Shinde, APP for the respondent-State

Mr. A.S. Shelke, Advocate to assist APP

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CORAM : N.W. SAMBRE, J.

DATE : 10/08/2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in Crime no.25 of 2016 registered on 25/5/2016 at Sindkhed Police Station, Tq. Mahur, Dist. Nanded for the offences punishable under section 420 r/w. 34 of the Indian Penal Code.

3. Amount of Rs.7,00,000/- deposited in this Court pursuant to order dated 27/07/2016 be

transmitted to the learned Investigating Officer in the present case.

4. In the above background, in my opinion, the claim of the applicants for releasing on pre-arrest bail needs to be granted for the following reasons :

a) That the applicants are very much available for the investigation and prosecution being employees/office bears of the public trust and society registered under the Societies Registration Act.

b) The custodial interrogation of the applicants, in my opinion, is not necessary, particularly, in the background of the fact that false implication in the crime cannot be ruled out, as there exist employer-employee dispute between the parties.

c) So far as applicant – Manikrao Kove is the Headmaster, applicant – Yogirao Nivrutti Gawandi is

claimed to be an Assistant Teacher and applicant – Niraj @ Nana Tatewar is a pensioner.

d) Prima facie, it appears that out of wrong interpretation of the orders passed by this Court, the amount appears to have been paid to applicant – Yogirao Gawandi, which is already secured by depositing the same in this Court.

5. In the event of the arrest of the applicants in Crime no.25 of 2016 registered at Sindkhed Police Station, Tq. Mahur, Dist. Nanded for the offences punishable under section 420 r/w. 34 of the Indian Penal Code, they be released on bail upon their executing P.R. bonds in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) each with one surety each in the like amount.

6. The applicants shall attend the concerned Police Station, initially on 20th and 21st August, 2016 between 10.00 am and 12.00 noon and, thereafter, as and when called.

7. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

8. Criminal Applications stand disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-