

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4147 OF 2016

VIDYASAGAR S/O WAMANRAO KENDRE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Gajanan G. Kadam.
APP for Respondent/State : Mr. S. J. Salgare.

. . .

CORAM : A. M. BADAR, J.

DATE : 22nd AUGUST, 2016.

PER COURT :

1] Heard learned counsel appearing for the applicant/accused. By pointing out the documents at page Nos. 28 and 29 with the application, learned counsel has argued that the applicant, who is Sub Post Master at Mukhed, had released the amount of Rs. 90,000/- (Rupees Ninety Thousand) to the official of the post department at Chandola for making payment to the Recurring Deposit holders on maturity. Learned counsel therefore submits that, the applicant is falsely implicated in the crime in questions.

2] Upon being asked that, the learned APP could not give tangible explanation so far as the documents at Page Nos.28 and 29 annexed to the application are concerned. Learned counsel for the

applicant had tendered photo copies of those documents showing release of Rs. 90,000/- (Rupees Ninety Thousand) to Chandola Post Office towards payment to the Recurring Deposit holders. Official acts are regularly done is the wise principle of law recognized given for the legislature.

3] In this view of the matter, liberty of the applicant needs to be protected and custodial interrogation is not warranted, and therefore, the following order.

ORDER

- i) The present criminal application is allowed.
- ii) Applicant/accused in crime no.144/2016, registered at Mukhed Police Station, Tq. Mukhed, Dist. Nanded, for offences punishable under Sections 420, 409, 471, 468 of IPC, in the event of his arrest be released on bail on his executing P.R. Bond in the sum of Rs.5,000/- (Rupees Five Thousand) and on furnishing surety of the like amount.
- iii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.

iv] The applicant shall not tamper with the prosecution evidence.

v] The applicant to attend concerned police station on 28th August, 2016 in between 11:00 a.m. to 1:00 p.m. and he shall cooperate the Investigating Officer in investigation of the crime in question till filing of the charge-sheet.

vi] The Criminal Application stands disposed of in the aforesaid terms.

[A. M. BADAR]
JUDGE