

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

927 CRIMINAL APPLICATION NO. 4388 OF 2016

ABDUL RAZZAK ABDUL KAREEM

VERSUS

THE STATE OF MAHARASHTRA

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Mr. Anand Chawre, Advocate for Applicant.

Mr. S.J.Salgare, A.P.P. for Resp. – State.

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CORAM : A.M.BADAR, J.

DATE : 19th AUGUST, 2016

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PER COURT :

1. The applicant/accused in Crime No. 296/2015 registered at City Chowk police station, Aurangabad for the offences punishable U/ss 420,468,471 and 511 of the Indian Penal Code at the instance of Daulat Pandit Khairnar, an employee of Maharashtra State Electricity Distribution Company Ltd. [for short, 'MSEDCL'] by this application is praying for pre-arrest bail.

2. Heard learned counsel for the applicant as well as learned A.P.P. Perused case diary including papers of investigation.

3. According to the prosecution case, the applicant was working as contract labour with the MSEDCL. Said company has given franchise to Saint Namdeo Maharaj Nagari Sahakari Patsanstha Ltd., Aurangabad for collecting the charges for consumption of electricity. According to the prosecution case, present applicant had taken 2 blank receipts from the receipt book issued by the said company to its franchise.

4. During the course of investigation, one blank receipt allegedly stolen by the present applicant is already recovered and one portion of torn receipt is also recovered. In this view of the matter, custodial interrogation of the present applicant, who was contract labour with the said company, is not warranted and, therefore, the following order.

- (i) The application is allowed.
- (ii) In the event of arrest in Crime No. 296/2015 registered at City Chowk police station, Aurangabad for the offences punishable U/ss 420,468,471 and 511 of the Indian Penal Code, applicant Abdul Razzak Abdul Kareem be released on bail on executing P.R. Bond of Rs. 10,000/- [Rupees Ten Thousand] and on furnishing surety in 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 the evidence of the prosecution.
- (v) The applicant to attend concerned police station on 30/08/2016 in between 11.00 a.m. and 1.00 p.m. and he should co-operate the Investigating Officer during investigation.

[A.M.BADAR, J.]