

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

CRIMINAL APPLICATION NO. 6176 OF 2015

1. Paraji S/o Kisan Magar,
Age : 65 years, Occu. Pensioner,
R/o. 97, Lane No. 1, New Narala,
Paithan, Tq. Paithan, Dist. Aurangabad.

2. Eknath Narhari Khisti,
Age : 70 years, Occu. Pensioner,
R/o. 162, Lane No. 2, Rangarhatti,
Tq. Paithan, Dist. Aurangabad.

... Applicants

VERSUS

The State of Maharashtra.

... Respondent

.....
Mr A. K. Bhosle, Advocate for the applicants
Mr S. M. Ganachari, APP for respondent/State
.....

CORAM : N. W. SAMBRE, J.

DATE : 15TH JANUARY, 2016.

PER COURT:

. Shri. Bhosle, learned counsel for the applicants, based upon the certified investigation report dt. 31st August 2015, submitted by the I/c. Special Auditor, Class-I, Cooperative Societies (Bank), Aurangabad to the General Manager, Aurangabad District Central Cooperative Bank Ltd., Adalat Road, Aurangabad, submits that, but for Shri. S. S. Ugale and Shri. B. L. Ghorpade, none of the other employees of the Bank are responsible for the defalcation including that of criminal liability.

2. Relying upon the above referred report and the observations made by this Court vide order dt. 30th November, 2015, the learned counsel for the applicants submits that there is no involvement of the present applicants in crime in question and prayed for confirmation of the *ad interim* protection granted by this Court.

3. The application is opposed by the learned APP on the ground that, the report contains the names of the applicants and as such looking to the nature of the allegations in the report and the nature of economic offence, it will be inappropriate to grant bail to the applicants.

4. Considering the above referred communication/report issued by the Special Auditor and the reasons narrated in the *ad interim* order passed by this Court on 30th November, 2015, it will be appropriate, in my opinion, to confirm the *ad interim* protection granted by this Court vide order dt. 30th November, 2015 and same is accordingly confirmed.

5. Criminal Application stands allowed accordingly.

[N. W. SAMBRE]
JUDGE