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

CRIMINAL APPLICATION NO. 6847 OF 2015

Anil Tarachand More

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr Joydeep Chatterji, Advocate for applicant;

Mr S.Y. Mahajan, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th January, 2016

ORDER :

By this application, the applicant seeks pre-arrest bail, in connection with C.R. No.343 of 2014, registered with Dhule Taluka Police Station, for offences punishable under sections 420, 468, 470, 471, 409 read with section 34 of the Indian Penal Code.

2. It appears that by communication dated 20th August, 2014, the Block Development Officer Panchayat Samiti, Dhule has informed the Executive Engineer, Rural Water Supply Scheme Department, Panchayat Samiti, Dhule that, as the applicant has deposited an amount of Rs.7,55,500/-, no action be initiated against him. The said deposit appears to be prior to filing of the first information report. The other accused Ashok Sonawane, the then Chairman of the Water Supply Committee, who has not deposited the amount, was already released on bail without any conditions.

3. In the above background, Mr Chatterji, learned Counsel appearing on behalf of the applicant would urge that the applicant deserves to be released on bail.

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4. Learned Addl. Public Prosecutor has opposed the application on the ground that although the amount is re-deposited, yet the said fact speaks of involvement of the applicant in the defalcation of the public money, which was not meant for his dues. According to him, the application, therefore, is liable to be rejected.

5. Having bestowed my thought to the submissions made, it is noted that the incident pertains to the period between 2007 and 2010 and the amount of defalcation, to the extent of share of the applicant, appears to have been deposited. In view thereof, the applicant is entitled to be released on bail. I, therefore, pass following order :-

In the event of arrest of the applicant, in connection with C.R. No.343 of 2014, registered with Dhule Taluka Police Station, for offences punishable under sections 420, 468, 470, 471, 409 read with section 34 of the Indian Penal Code, he be released 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 on 27th and 28th January, 2016, between 10.00 a.m. and 12.00 noon and thereafter as and when called by the Investigating Officer.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj