

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

CRIMINAL APPLICATION NO.6987 OF 2015

Sopan s/o Babasaheb Tirukhe,
Age: 35 years, Occ: Agri.,
R/o. Wadgaon Wakhari,
Tal. & District Jalna.

...Applicant

versus

The State of Maharashtra,
Through Police Inspector,
Police Station, Sadar Bajar,
Jalna, Tal. & Dist. Jalna.

...Respondent

.....
Mr. S.S. Thombre, Advocate for applicant
Mr. S.J. Salgare, A.P.P. for respondent
.....

**WITH
CRIMINAL APPLICATION NO.6809 OF 2015**

Bhanudas s/o Khandu Rathod,
Age: 55 years, Occ: Agri.,
R/o. Wadgaon (Patra Tanda),
Tal. & District Jalna.

...Applicant

versus

The State of Maharashtra & ors.

...Respondents

.....
Mr. C.K. Shinde, Advocate for applicant
Mr. S.J. Salgare, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 22nd JANUARY, 2016

ORAL ORDER :

Mr. Thombre, learned Counsel for the applicants submits

that demand draft is drawn in favour of Registrar (Judicial) of this Court towards amount of interest including that of penal interest so as to show their bonafide.

2. Perused the contents in the F.I.R. as against the present applicants, who are seeking pre-arrest bail in Crime No. 309 of 2015 registered with Sadar Bazar Police Station, Taluka Jalna, District Jalna, for the offence punishable under Sections 406, 420 read with Section 34 of Indian Penal Code.

3. There was defalcation of Rs.16,00,000/- for period of about nine months, which amount was already deposited by the applicants in the concerned account.

4. The applicants have volunteered to show their bonafides by depositing penal interest.

5. Looking to the nature of allegations, in my opinion, custodial interrogation of the applicants is not necessary.

6. In that view of the matter, both the applications are allowed. Hence, the following order.

In the event of arrest, the applicants be released on bail in connection with Crime No. 309 of 2015 registered with Sadar Bazar Police Station, Jalna, Taluka and District Jalna for the offence punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, upon executing P.R. bond of Rs.25,000/- with one surety in the like amount, by each of them. The applicants shall attend the concerned police station on 27th and 28th January, 2016 in between 10-00 a.m. to 12-00 noon and thereafter as and when called for by Investigating Officer.

7. Registrar (Judicial), shall accept the demand draft of Rs.3,50,000/-, who shall forward the same to the Chief Executive Officer, Zilla Parishad, Jalna, who will be entitled to pass appropriate orders in respect of the said amount, as it deems fit, which will be subject to outcome of trial.

8. Both the applications are allowed in above terms.

[N.W. SAMBRE, J.]