

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 420 OF 2016**

Vasantrao Vithal Bhakare

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Aniket Nikam i/b Mr. Ashish Satpute for the Applicant

Mr. D. P. Adsule, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 30th MARCH, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 162 of 2015 registered with the Karmala Police Station, Solapur, for the alleged offence punishable under Section 409 of the Indian Penal Code.
3. It is the case of the prosecution, that Minerva Power Company Ltd. owed an amount of Rs. 75,000/- to the Grampanchayat, pursuant to

which the said amount was deposited by Minerva Power Company Ltd. with the applicant. It is alleged that the applicant, who was a Gramsevak of the Grampanchayat at the relevant time, misappropriated the said amount, pursuant to which, the aforesaid complaint was lodged by Vishnu Kashale, Development Officer, Panchayat Samittee, Karmala.

4. Learned Counsel for the applicant submits that the applicant, prior to his arrest, has deposited the entire sum of Rs. 75,000/- with the Grampanchayat, Malwadi, Karmala. The applicant has been in custody since 8th February, 2016. Since the amount is deposited, the applicant is entitled to be enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.