

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO.27/2016

Arun Ananda Aagale

..Versus..

State of Maharashtra, through P.S.O. Bhandara, Police Station, Tah. & Distt. Bhandara.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 15.2.2016

Heard Ms. S.P. Giratkar, advocate for the applicant and Ms. N.P. Mehta, A.P.P. for the non-applicant.

The applicant is seeking pre-arrest bail apprehending arrest in Crime No.165/2015 registered against him by the non-applicant for the offences punishable under Sections 120-B, 406, 407, 408, 409 and 468 of the Indian Penal Code.

The allegations against the applicant are that while working as the Deputy Manager at Bhandara, the applicant has indulged in illegalities in the matter of storage of paddy crops to the tune of 12245.67 quintals under the Aadharbhut Kharedi Yojna. The charge against the applicant is that he has entered into an agreement for

storage of paddy crops in respect of a godown situated at a distance of more than 100 kilometers when according to the policy of State Government it is compulsory that the paddy crops purchased under the Aadharbhut Kharedi Yojna should be stored within 40 kilometers from the Kendra. The allegation is that because of the illegalities committed by the applicant, loss of Rs.1,99,07,987/- has been caused and the Adivasi Farmers, who are the beneficiaries under the scheme, are deprived of getting proper price for their crops.

The learned advocate for the applicant has pointed out the order passed by this Court on 31st August, 2015 granting pre-arrest bail to Dindayal Ganpat Maraskolhe (co-accused). It is further submitted that the agreement which is alleged to be executed by the applicant is not in the format and it was not given effect to. It is further submitted that there is no material available with the prosecution on the basis of which it can be said that the applicant is involved in the illegalities causing loss to the State Government.

The learned A.P.P. has submitted that Dindayal Ganpat Maraskolhe was working as Security Guard at the relevant time. The learned advocate for the applicant disputes the contention of learned A.P.P. and submits that Dindayal Ganpat Maraskolhe was working as

Junior Assistant at the relevant time. Be that as it may, considering the facts on the record and the nature of allegations against the applicant, in my view, the applicant is not entitled for pre-arrest bail on the ground of parity. I find that the investigation is in progress and it would not be appropriate to grant protection to the applicant by granting this application. The application is rejected. In the circumstances, the parties to bear their own costs.

JUDGE

Tambaskar.