

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

CRIMINAL APPLICATION (ABA) NO.83 OF 2016.

(RAMDAS NEKRAM RAJPUT...VS..STATE OF MAH. THR. PSO PS RAJAPETH, AMRAVATI)

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.

DATED : FEBRUARY 15, 2016.

Heard Shri S.Z.Sonbhadre, 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 connection with the crime registered
against him for the offence punishable under Sections 420,
408 and 409 r/w 34 of the Indian Penal Code.

The allegations against the applicant are that he
had given foundation seeds to the agriculturists on credit and
has not deposited the amount of cost of the foundation seeds
in the account of National Seeds Corporation. It is further
alleged that Rs.1,20,000/- is deposited in the account of wife
of the applicant and thus, the applicant has indulged in
misappropriating the amount.

The learned advocate for the applicant has
disputed the charge levelled against the applicant and has
submitted that though the applicant is not liable for
depositing the amount of Rs.1,20,000/-, to show the
bonafides, the applicant is ready to deposit the amount as
would be directed by this Court. It is further submitted that

the terminal benefits receivable by the applicant would be much more than Rs.1,20,000/-. On instructions, it is stated that the applicant will keep the amount of Rs.1,20,000/- out of his terminal benefits with the National Seeds Corporation until further orders are passed by the competent authority or the appropriate Court.

The applicant has submitted that he had not been involved in any crime earlier. This is not disputed by the non-applicant.

Considering the facts of the case, I am satisfied that the applicant is entitled for pre-arrest bail.

Hence, the following order :

In the event of arrest in connection with Crime No. 311 of 2015, registered by the non-applicant, the applicant be released on bail on furnishing P.R. Bond in the sum of Rs.Ten Thousand and one solvent surety in the like amount.

While claiming the terminal benefits, the applicant shall keep Rs.1,20,000/- with the National Seeds Corporation and shall not claim it unless he obtains appropriate orders regarding that amount from the competent Authority or appropriate Court.

The application is allowed in the above terms. In the circumstances, the parties to bear their own costs.

JUDGE