

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO.233 OF 2016

(Swapnil s/o Prabhakar Kumare ..vs. The State of Maharashtra, through PSO Dechalipeth, District
Gadchiroli)

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 : 29-04-2016

Heard Shri Sabahat Ullah, Advocate for the applicant and Shri N.B. Jawade, Additional Public Prosecutor for the non-applicant.

2. The applicant is arrested on 04-02-2016 in crime registered against him for offence punishable under Sections 409 and 420 of the Indian Penal Code on the accusations that he has misappropriated an amount of Rs.76,426/-. According to the prosecution, the amount was given by the depositors, however, the applicant who was working as Sub-Post Master in the Post Office had not deposited the amount and had retained it.

3. The learned Advocate for the applicant has submitted that the accusations levelled against the applicant are not true. It is submitted that, however, to show the *bonafides* the applicant has deposited an amount of Rs.80,000/- with the department of Posts.

4. It is reported that the applicant is suspended.

Considering the nature of crime, nature of accusations against the applicant and the facts on record and as the non-applicant has not been able to show that custody of the applicant is required for further investigation, in my view, the applicant is entitled to be released on bail.

5. Hence, the following order :

- i) The applicant having been arrested in Crime No.1/2016 registered by the non-applicant, he be released on bail, on furnishing P.R. Bond for Rs.25,000/- and one solvent surety in the like amount.
- ii) The applicant shall attend the Police Station Dechalipetha, Tahsil-Sironcha, District-Gadchiroli on every Wednesday between 11-00 a.m. to 1-00 p.m. till filing of the charge-sheet.
- iii) The application is allowed in the above terms.

JUDGE