

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

Criminal Application [BA] No.705 of 2016

(Sumit Babarao Dahikar

vs.

State of Maharashtra, through P.S.O. Sitabuldi, Nagpur)

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri R.R. Vyas, Advocate for the Applicant.

Shri A.M. Deshpande, A.P.P. for the Non-Applicant/State.

CORAM : S.B. SHUKRE, J.
DATE : 20th SEPTEMBER, 2016.

Heard the learned Counsel for the applicant and
the learned A.P.P. for the State.

According to the learned Counsel for the applicant,
there is no substance in the allegations made against the
applicant, which has been seriously controverted by the
learned A.P.P.

With the assistance of the learned A.P.P., I have
gone through the case-diary, particularly the bank statements,
which at this stage, disclose that there is *prima facie* substance
in the allegations made against the applicant. It appears that
this applicant has *prima facie* misused the authority and the
trust reposed in him by his employer. The question is, against
the background of such offences like the present ones having
no larger impact on the society and confined to only the

transactions between the applicant and his employer, whether or not the applicant should be detained in jail at a stage when the investigation is about to be over and his custodial interrogation is no longer required. In my opinion, answer would have to be given in favour of the applicant. That apart, all these offences are triable by the Court of the Judicial Magistrate First Class. Therefore, I am inclined to grant this application. Hence, the following order.

The application is allowed.

It is directed that the applicant be released on bail on his furnishing a P.R. Bond in the sum of Rs.20,000/- together with one solvent surety in the like amount on the conditions that the applicant shall regularly attend the Court proceedings on the dates fixed in the matter, shall co-operate with the trial Court in expeditious disposal of the case and shall not tamper with the prosecution witnesses in any manner.

The application is disposed of accordingly.

JUDGE

**sdw*

C E R T I F I C A T E

I certify that this order uploaded is a true and correct copy of the original signed order.

Uploaded by: S.D. Waghmare
P.A. to the Hon'ble Judge.

Uploaded on : 21/09/2016