

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 1985 OF 2017
IN
CRIM. REVISION APPLICATION NO. 102 OF 2017**

Narsi Ramasing Padavi

..... APPLICANT

V E R S U S

The State of Maharashtra

..... RESPONDENT

.....

Mr. R.S.Shinde h/f Mr. N.N.Desale,
Advocate for Applicant.

Mr. S.N.Morampalle, A.P.P. for Resp. – State.

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CORAM : V.L.ACHLIYA, J.

DATE : 2nd MAY, 2017

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ORDER :

1. Heard learned counsel for the applicant and learned A.P.P. for the respondent – State.

2. In nut-shell, it is the contention of the learned counsel for the applicant that the applicant is victim of false implication in the case at the instance of superior

officer. Although 16 accused were tried for the offence. Accused Nos. 1,3,8 and 14 were convicted by the trial Court. In Appeal, the accused other than the applicant were acquitted. Learned counsel submits that there is no evidence sufficient to prove the alleged mis-appropriation committed on the part of the applicant/accused.

3. Upon considering the submissions advanced, in the light of reasons and findings recorded by the trial Court and the depositions of witness Nos. 5 and 6, I am of the view that arguable case is made out to entertain the Revision Application. Hence, I pass the following order.

[i] **'Admit'.**

[ii] Call record and proceedings.

[iii] Pending disposal of the Revision, further execution of sentence is suspended from the date of release of the applicant on bail.

[iv] The applicant Narsi Ramasing Padavi be enlarged on bail on his furnishing bail in the sum of ₹ 50,000/- [Rupees Fifty Thousand] with one surety in

the like amount.

[v] The applicant shall appear and record his appearance before the Police Inspector of Taloda Police Station, Dist. Nandurbar once in a month.

[vi] The applicant shall not leave Taloda city without intimating the Police Inspector of Taloda Police Station, Dist. Nandurbar.

[vii] The applicant shall not indulge in the commission of any criminal offence.

[viii] The applicant shall furnish the names and addresses of his three (3) close relatives.

[ix] In case of breach of any condition, the bail granted to the applicant shall be liable to be cancelled.

[V.L.ACHLIYA, J.]