

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

CRIMINAL APPLICATION NO.2552 OF 2017

Prithviraj s/o Kisan Kadam, ... **Applicant**
Age 27 years, Occu:Business &
Agri., r/o Kadamwadi, Tq. Kaij
District Beed.

VERSUS

The State of Maharashtra ... **Respondent**
Through Kaij Police Station,
District Beed.

Mr. Nilesh S. Ghanekar, the applicant
Mr. S.J. Salgare, APP for the State.

CORAM : K. L. WADANE, J.

DATE : 20th June, 2017

ORDER:

1. Heard Mr.Ghanekar, learned counsel for the applicant and Mr. Salgare, learned APP for the State.

2. On the basis of information given by one Ganesh Dwarkadas Mantri, Branch Manager, Bank of Maharashtra, Kaij Branch on 15.03.2017, offence bearing Crime No.121/2017 is registered against the applicant with Kaij Police Station, Dist. Beed for the offences punishable under sections 420 and 419 of the Indian Penal Code.

3. It is allegation of the prosecution that during the period from 14.11.2016 to 17.01.2017, with the help

of On-line Bank transactions such as UPI, the present applicant had misappropriated an amount of Rs.31 lakhs and as such, cheated and caused loss to the Bank of Maharashtra.

4. Mr. Ghanekar, the learned counsel for the applicant submits that after registration of the crime, the present applicant has deposited the amount of Rs.31 lakhs with the aforesaid Bank. Therefore, merely a technical offence is remained to be tried against the present applicant. Learned APP states that during investigation, it was revealed that entire amount of alleged misappropriation has been deposited by the accused person with the Bank of Maharashtra and letter to that effect is also issued by the Bank. From the said letter, it appears that the present applicant has deposited the entire amount and as such, custodial interrogation of the applicant is not necessary.

5. In view of the above circumstance, I am of the opinion that the applicant can be enlarged on anticipatory bail. Hence following order:

O R D E R

- i. In the event of arrest of the applicant in connection with Crime No. 121/2017, registered

with Kaij Police Station District Beed, he shall be released on bail on his executing P.R. Bond of Rs. 25,000/- [Rs. Twenty five thousand only], with one solvent surety in the like amount.

- ii. The applicant shall not tamper with the prosecution evidence in any manner and shall cooperate with the investigating officer in further investigation.

6. Criminal application disposed of.

(K. L. WADANE, J.)

JPC