

applicant submits that applicant was appointed as Panel Technical officer on contract basis. Alleged illegalities in the work of measurement and misappropriation of the amount are in reference to the Agricultural Pond constructed within the limits of village Mandvi (Bk) where the complainant was appointed.

4. From the communication dated 29.04.2014, issued by the Deputy District Programme Coordinator, Zilla Parishad, Nandurbar addressed to the Deputy Collector, Nandurbar, it reveals that there is difference between measurement noted in the measurement book and the actual amounts paid to the farmers. Further, from the Communication dated 02.10.2015, issued by the Inspection Officer, Minor Irrigation, Zilla Parishad, Nandurbar addressed to Deputy Collector, it reveals that the measurement books were not available and the excess amount was paid as per the MIS expenditure.

5. Mr. Patil further submits that there is no evidence on record to show that the present applicant has misappropriated any amount. As per the system, after completion of the work, the amount is to go to the account of the farmers directly and there is no

scope for the applicant to misappropriate any amount.

6. Learned APP appearing for the State submits that so many agriculturists have made complainants against the applicant and others about misappropriation of the amount. However, on perusing their address, it appears that all of them are of village Genda, District Nandurbar and the work of agricultural pond was done at village Mandvi Budruk. None of the villagers of Village Mandvi Bk have complained about acceptance of the money. Furthermore, the applicant surrendered before the Police and he was available for interrogation and now he is in MCR.

7. Considering the fact that the applicant was available for custodial interrogation and the fact that further investigation relates to the documents which are in the custody of the Government, in such circumstance, I am of the opinion that the applicant can be released on bail by putting certain conditions. Hence following order:

O R D E R

- i. The applicant shall be released on bail on his furnishing personal bond of Rs.25,000/-(Rupees

twenty five thousand) with one solvent surety of like amount.

ii. The applicant shall not tamper with prosecution evidence in any manner and shall not contact with any of the prosecution witnesses till conclusion of the trial.

iii. The applicant shall attend Dhadgaon Police Station District Nandurbar once in a week i.e. on every Sunday between 12.00 noon to 2.00 p.m. till filing of the charge-sheet.

8. Criminal application is disposed of.

(K. L. WADANE, J.)

JPC