

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO.2085 OF 2017**

Shri. Nilesh Chandrakant Kharade ... Applicant

vs.

The State of Maharashtra ... Respondent

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Mr. S. B. Deshmukh for Applicant.

Mr. A. S. Patil, APP for State.

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CORAM : A. S. GADKARI, J.

DATE : 06.10.2017.

P.C.:

1. This is an Application under Section 439 of Cr. P.C. for bail in C.R. No.202/2017 registered with Baramati City Police Station, Pune for an offence punishable under Sections 406, 420, 120(B), 409, 467, 468, 471, 34 of the Indian Penal Code.

2. It is the prosecution case that the Accused No.1 Tulashiram Shinde and Accused No.2 Anantrao Shinde in-conivance with the other accused persons including the officers of a Nationalized Bank prepared proposals for loan in the names of 12 agriculturist and the said loans were deposited in the firm by name Shinde Engineering and Consultant and Omkar Earth Movers, Baramati owned by Accused Nos.1 and 2. It is further alleged that without giving benefit of the said agricultural loan to the concerned agriculturist, the Accused persons herein defalcated the said amount. During the course of investigation, the Applicant came to be arrested on 01.06.2017 and after completion of investigation police have submitted charge-sheet.

3. The record indicates that the Applicant was working with Accused No.1 Tulashiram Shinde as his employee and under the directions of Accused No.1 Tulashiram Shinde, the Applicant prepared the alleged

bogus quotation bills of expenses of the agriculturist which were submitted by the Accused No.1 to the Bank. The record further indicates that Mahadeo Kharat was also employee of Accused No.1 Tulashiram Shinde, who has been released on bail by the learned J.M.F.C., Baramati by an Order dated 11.9.2017. Prima facie it appears that the present Applicant was working as an employee of Accused No.1 Tulashiram Shinde and under his dictate he prepared the said documents. It further appears that except receiving salary from the said Accused No.1, the Applicant has not received any other proceeds of the crime.

3. In view of the above, Applicant can be released on bail. Hence, the following order:

ORDER

- a) The applicant be released on bail in CR No. 202/2017 registered with Baramati City Police Station, Pune on his furnishing a P.R. Bond of Rs. 25,000/- with one or two solvent local sureties in the like amount ;
- b) After his release from jail, the applicant shall attend Baramati City Police Station, Pune once in month i.e. on every first Monday of the month between 10:00 a.m. to 12:00 noon;
- c) The applicant shall also attend all the dates before the Trial Court ;
- d) The applicant shall not tamper with the evidence and/or influence the witnesses ;
- e) The application is allowed in the aforesaid terms.

(A. S. GADKARI, J.)