

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

CRI. APPLICATION (ABA) NO. 50 OF 2017

(GOPAL VITHOBAJI TIDKE...VS.. STATE OF MAH. THR. P.S.O. DAWNIWADA, DIST. GONDIA)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.M.Quazi, Advocate for Applicant.
Shri Neeraj Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 15, 2017.

Heard.

The applicant, apprehending arrest in crime registered against him along with others for the offences punishable under Sections 408, 409, 420, 477-A read with Section 34 of the Indian Penal Code, has sought pre-arrest bail. The crime is registered on complaint of Auditor that there is misappropriation of amount of Rs.72,14,689/-. The accusations against the applicant are that when he was the Branch Manager of Gondia District Central Co-operative Bank, Dawaniwada, amount of Rs.47,91,600/- is deposited in the accounts of 45 persons who are not residing in the area of operation of the society/ bank and the accounts of these 45 persons were opened without following the prescribed norms.

The learned Additional Public Prosecutor has pointed out from the Auditor's Report that the applicant accepted during the enquiry under the provisions of the Maharashtra Co-operative Societies Act, 1960 that accounts of all those 45 persons were opened without adhering to the KYC norms. The application is opposed on the ground that

the investigation is still in progress and the material collected by the Investigating Agency shows involvement of the applicant in the crime.

Though this Court has granted protection to the applicant by order dated 27th January, 2017 and there is no complaint by the Investigating Agency that the applicant has misused the protection, considering the submission of the Investigating Agency, specially the fact that the investigation is still going on, I am of the view that the prayer made in the application cannot be granted.

The application is **dismissed**.

The applicant has enjoyed protection granted by this Court by the order dated 27th January, 2017. The applicant shall surrender within two weeks, failing which his conduct may be taken note of at all stages of the proceedings.

JUDGE

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