

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

CRIMINAL APPLICATION (ABA) NO. 208 OF 2017

(RAM RAMESH VYAWHARE...VS.. STATE OF MAH. THR. P.S.O. PS WASHIM, DISTT.WASHIM)

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

Court's or Judge's orders

Shri S. S. Dhengale, Advocate for Applicant.
Shri N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 11th JULY, 2017.

Heard.

Apprehending arrest in connection with crime registered by the non-applicant for the offences punishable under Sections 406 and 420 of the Indian Penal Code, the applicant has sought pre-arrest bail.

According to the Investigating Agency, the applicant has misappropriated an amount of Rs.26,400/-, collecting the amount from the customers but not depositing it with the Corporation. The learned A. P. P. has submitted that investigation is going on to examine whether misappropriation is in respect of more amount.

By order passed on 4th April, 2017, this Court has granted protection to the applicant imposing condition of attendance at the police station. At the subsequent hearing grievance was made on behalf of Investigating Agency that the applicant is not co-operating with the Investigating Agency and therefore, by order passed on 27th June, 2017, the

applicant was directed to attend the police station every day. The learned advocate for the applicant has stated that the applicant has complied with the order passed by this Court on 27th June, 2017.

The applicant, aged about 29 years, has stated that he is not involved in any other crime/offence.

Though, the Investigating Agency insisted that the custodial interrogation of the applicant is necessary to unearth the truth, considering the facts of the case, the following order is passed :

In the event of arrest in connection with Crime No.40 of 2017 registered by the non-applicant, the applicant be released on bail on furnishing cash security of Rs.50,000/- and one solvent surety in the like amount.

The learned advocate for the applicant, on instruction from the applicant who is present, states that the solvent surety will be furnished either by father or by mother of the applicant. The statement is accepted. The solvent surety shall be furnished either by father or by mother of the applicant.

The application is **allowed** in the above terms.

JUDGE