

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CRIMINAL APPLICATION (ABA) NO.367 OF 2018

(Sakharam Dau Mawaskar ..vs.. State of Maharashtra, through PSO, PS Dharni, District Amravati)

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

Court's or Judge's orders

Shri R.R. Prajapati, Counsel for the applicant,
Shri T.A. Mirza, Addd. P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 19-06-2018

Anticipatory bail is sought on the ground of parity. This Court has granted anticipatory bail to co-accused Ashok Divekar and Sharad Bhakare, the Retired Tahsildar and the Assistant Programme Officer respectively.

2. The limited accusation against the present applicant is that he failed to verify the requisite details before disbursing the amount from the post account towards payment of labour.

3. *Prima facie*, administrative negligence is a real possibility, if at all. It is difficult to record even *prima facie* observation that the applicant had the requisite *mens rea*.

4. The application is allowed.

5. The interim order dated 25-5-2018 is confirmed.
6. The applicant shall not tamper with the evidence nor shall attempt to influence the witnesses directly or indirectly.
7. The applicant shall attend the Dharni Police Station every Sunday till the filing of the charge-sheet.

JUDGE

adgokar