

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

CRIMINAL APPLICATION (ABA) NO. 675/2018

Rohit Satish Aushal

..VS..

State of Maharashtra, Thru PSO Kalamb, Dist. Yavatmal

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

Court's or Judge's orders

Shri S.G. Lacharwar, Advocate for the applicant
Shri N.B. Jawade, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.

DATED : 11/10/2018

Heard.

Apprehending arrest in connection with Crime/FIR No. 0280/2018 registered by the non-applicant against two accused (including the applicant) for the offences punishable under Section 409 and Section 34 of the Indian Penal Code, the applicant seeks pre-arrest bail. The crime is registered on the complaint lodged by the Branch Manager of Buldhana Urban Credit Co-operative Society Limited, Branch Kalamb. According to the complaint, Shri Kapil Ruparel had mortgaged gold weighing 350.651 grams and a loan of Rs. 5,88,000/- was advanced to him. These golden articles were got verified from a jeweler and then the amount of loan was disbursed. The golden articles were entrusted to the applicant who was at that time working as the Cashier. Shri Kapil Ruparel repaid the amount of loan and when the packet in which the golden articles were kept was opened, it was found that the golden articles/ornaments were not genuine.

The Investigating Agency opposes the application pointing out that there are strong grounds to suspect that the applicant is involved in commission of the crime. According to the Investigating Agency, the applicant was absent from his duty since 24/04/2018 and then he sent resignation letter on 08/05/2018 which was not accepted. On query, the learned advocate for the applicant has submitted that the applicant has not got any alternate employment. According to the Investigating Agency, the co-accused/Sunil Thaori was also absent unauthorizedly since 01/05/2018.

The Investigating Agency submits that custodial interrogation of the applicant is necessary.

Accepting the submission made on behalf of the Investigating Agency, the application is **dismissed**.

CRIMINAL APPLICATION (APPP) NO. 1614/2018

In view of dismissal of the anticipatory bail application, this application praying for grant of ad-interim anticipatory bail to the applicant does not survive. It is **disposed** accordingly.

JUDGE

Ansari