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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.105 OF 2019

Pramod Depram Jadhav

..Applicant.

V/s.

The State of Maharashtra

..Respondent.

Mr.B.K.Barve with Mr.Sandip Barve I/b. B.K. Barve & Co. for the applicant.

Mr.S.S.Hulke, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 15, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.I-52/2018 for offence punishable under section 406, 409, 420, 467, 468, 471, 474, 477A read with 34 of the Indian Penal Code registered with Surgana police station, District Nashik, the applicant, working as a Executive Engineer with the Zilla Parishad, Nashik, is seeking pre-arrest bail.

3. It is the contention of learned counsel for the applicant that a communication issued by the officials of the Panchayat Samiti has absolved the applicant of mis-appropriation, as could be inferred

from the communication dated July 20, 2018 issued by the Block Development Officer. He would then urge that the applicant is on the verge of retirement and there are no antecedents of misappropriation or mismanagement. According to learned counsel for the applicant, the allegation in the F.I.R. at the most would amount to an irregularity and in any case, it can't be inferred to the extent of commission of an offence in question.

4. Learned APP opposed the claim of the applicant.

5. The officials have notice that the work was not executed which pertains to conservation of water in the area of the Panchayat Samiti, Surgana. It appears that the applicant has certified that the work is executed under his supervision which has prompted the authority to release the amount towards execution of the work though the work in question was not executed.

6. There is a *prima facie* material to infer the involvement of the application in the crime in question. As such, the application fails and is dismissed.

(NITIN W. SAMBRE, J.)