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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2357 OF 2018

1. Jayantilal Mohanlal Samdadiya
2. Prakash Mangilal Samadadiya
3. Mahesh Shobhchand BoraApplicants
4. Poornima Chandrakant Samdadiya
5. Tushar Jeevanlal Samdadiya

V/s.

The State of MaharashtraRespondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2393 OF 2018**

Sarshad Salim ShaikhApplicant
V/s.
The State of MaharashtraRespondent

Mr. Anoop U. Patil for the applicant in ABA 2357/2018
Mr. Amol Joshi for the applicant in ABA 2393/2018
Mr. N. B. Patil APP for the State

**CORAM : NITIN W. SAMBRE, J.
DATE : FEBRUARY 14, 2019.**

P.C.

In Crime No. 171/2018 registered with Vani Police Station,
Nashik Rural for offence punishable under Sections 217, 218, 408,

409, 420, 465 & 468 of the Indian Penal Code and under sections 146(k), (m) (n) (o) (p) of Maharashtra Cooperative Societies Act, 1960, applicants are seeking pre-arrest bail.

2 It is the case of the applicants that they were elected on March 28, 2016. As far as the alleged defalcation is concerned, they had not played any role as the same is prior to their election as Directors. According to them, they are very much available for the investigation.

3 The learned APP submits that applicants' family members were Directors in earlier regime of the elected body and the applicants have tried to cover up their misdeeds as no efforts are taken for recovery.

4 Having considered submissions what is noticed is the period for which the defalcation is alleged is prior to the election of the applicants i.e. 2016. The co-accused who are family members of the applicants and who are Directors in earlier regime when the alleged

misappropriation took place are already released on regular bail.

5 In the wake of above, there is hardly any material to connect the applicants to the crime in question. In view thereof, case for grant of pre-arrest bail is made out. Hence, following order:

(A) In the event of arrest of the applicant in In Crime No. 171/2018 registered with Vani Police Station, Nashik Rural, applicants be released on bail on executing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount.

(B) Applicants shall not influence witnesses or tamper with evidence.

(C) Applicants to attend Investigating Officer as and when directed by him.

6 Applications stand disposed of.

[NITIN W. SAMBRE, J.]