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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO.9 OF 2020
WITH
ANTICIPATORY BAIL APPLICATION NO.10 OF 2020**

1. Gajanan Rambhau Garad
 2. Gangadhar Kishanrao Dhage
- ..APPLICANTS

VERSUS

The State of Maharashtra

..RESPONDENT

Mr S. S. Rathi, Advocate for applicants;
Mr R. D. Sanap, A.P.P. for respondent

CORAM : RAVINDRA V. GHUGE, J

DATE : 14th December, 2020

PER COURT:

1. Both the applicants in these two applications are the same Bank officials. Two crimes have been registered against them with the Police Station, Jintur, bearing Crime No.9/2015 and Crime No.10/2015. The offence alleged to have been committed by both of them in these two crimes, are punishable under Sections 406, 409, 420, 467, 471 & 120B of the Indian Penal Code.

2. I have heard the learned Advocates for the applicant and the learned Prosecutor on behalf of the State for quite sometime. With their assistance, I have gone through the record available. It is undisputed that there are 10 accused in these crimes, the applicants being accused Nos.8 and 9. Except these two applicants, all other

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accused have been granted anticipatory bail by the Trial Court.

3. Having perused the FIR, it appears that these two applicants, who are higher ranking officers of the Bank, are alleged to have permitted disbursement of amounts deposited in certain Bank accounts, to dead persons. Imposters are said to have presented themselves and after the files reached these two officers for sanctioning of withdrawal, these two officers are said to have accorded sanction. The grievances of the complainants are that the money has not reached the legal heirs and somebody, in connivance with these two applicants, has siphoned off this money.

4. This Court (Coram : R.G. Avachat, J) has granted ad-interim bail to these two applicants in both the offences, by directing them to execute a P.R. Bond of Rs.15,000/- with a surety of a like amount.

5. The learned Prosecutor has opposed these two applications. He submits that economic offences have been committed and the custodial interrogation of these two applicants is necessary. He further concedes that all other 8 accused involved in these offences have been granted anticipatory bail by the Trial Court.

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6. Considering the above and the allegations against these applicants set out in the FIRs, both these applications are allowed and the applicants, in the event of their arrest, shall be released on bail on the following conditions :-

(a) Each of the applicants would tender an additional P.R. Bond for the sum of Rs.25,000/- and a surety of the like amount.

(b) Both of them shall mark their attendance with the Jintur Police Station on each Saturday between 10.00 a.m. and 1.00 p.m.

(c) The Station House Officer shall record the attendance of these two accused by obtaining their signatures in the Station House Diary.

(d) Such attendance shall be marked until the investigation is complete and till the tendering of the charge-sheet in the Court, which is said to have not been filed for over five years.

(e) None of these accused shall tamper with evidence or contact the complainant, his relatives or any such person, directly or indirectly, who are likely to be witnesses in the said case.

(f) Both of them shall file the latest address proof and self attested copies of their Aadhar Card and Election

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Commission Voter I.D. Card with the said Police Station

(g) Both of them, besides marking their attendance in the Police Station, shall render full cooperation to the Police authorities and shall present themselves for investigation, as and when required by the Investigating Officer.

(h) Violation of any of the conditions shall be a good ground for the cancellation of the bail.

(RAVINDRA V. GHUGE, J.)

sjk