

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

CRIMINAL APPLICATION (BA) NO.222 OF 2020

Prashant s/o Kawdu Bodhe.

..VS..

The State of Maharashtra, Through P.S.O. P.S., Wani, Dist. Yavatmal.

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

Court's or Judge's orders

Mr. T. Deshpande, counsel for the applicant.
Mr. N. R. Rode, APP for the non-applicant/State.

CORAM : AVINASH G. GHAROTE, J.

DATED : 13th JULY, 2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard Mr. Deshpande, learned counsel for the applicant and Mr. Rode learned APP for the non-applicant/State. The applicant is arrested in Crime No. 878 of 2019 for the offences punishable under Sections 420, 468 and 471 read with 34 of Indian Penal Code.

The applicant was engaged by the Gramsevak of Grampanchayat Aheri, Panchayati Wani, and is alleged to have prepared false documents due to which the Gramsevak namely Devrao Sakharam Gurhade has been able to misappropriate an amount of Rs.21 Laks and odd as per the reply filed by the prosecution. In the search of the house of the applicant, bank accounts, pass book and rubber stamps of the Grampanchayat have been seized which were in his custody, at the behest accused No.3. According to the reply, the present applicant has made signatures for and on behalf of the accused No.3 thereby

assisting the accused No.3 in misappropriating amount. The investigation is already over and the charge-sheet has been filed on 19.10.2019. The applicant has been arrested on 22.08.2019 and is languishing in jail since then. The accused No.3 at the behest of which the applicant is claimed to have done the actions attributed to him has already been released on bail by this Court by order dated 13.12.2019. Nothing more is required to be recovered from the custody of the applicant, as the charge-sheet has been filed. Any apprehensions of the non-applicant regarding the applicant interfering with the witnesses can be taken care of by putting conditions. Hence, the following order.

ORDER

1. The criminal application is allowed.
2. The applicant Prashant S/o Kawdu Bodhe arrested in connection with Crime No.878 of 2019 registered with Police Station, Wani, Dist. Yavatmal, for the offences punishable under Sections 420, 468 and 471 read with 34 of the Indian Penal Code, be released on bail on his executing P.R. bond of Rs.25,000 (Rupees Twenty Five Thousand Only) with one solvent surety in like amount.
3. The applicant is directed to attend Police Station, Wani, Dist. Yavatmal, once in every 15 days i.e. on first and third Saturday of every month, till the trial is over and shall be with the Investigating Officer from 3.00 p.m. to 5.00 p.m.

4. The applicant shall not tamper with the evidence or witnesses.

The Criminal Application accordingly disposed of.

Needless to say that any observations made in this order shall not affect the trial adversely.

This order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

Sarkate