

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

CRIMINAL BAIL APPLICATION (ABA) 194 OF 2020

(Sudhakar Vithobaji Bobade..vs.. State, thr PSO (EOW) PS City Kotwali, Akola)

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

Court's or Judge's orders.

Mr. A.P. Kalmegh, counsel for applicant.
Mr. N.R. Rode, APP for non-applicant.

CORAM: ROHIT B. DEO, J.
DATE:21.12.2020.

Heard.

2. The applicant is apprehending arrest in Crime 44/2020, registered with Police Station, City Kotwali, Akola, for offence punishable under sections 409 and 420 read with section 34 of the Indian Penal Code.

3. Vide order dated 3.4.2020, this Court (Coram: V.M. Deshpande, J.) granted pre-arrest protection subject to certain conditions.

4. It is not the case of the prosecution that the conditions are not complied with. As a fact, the instructions received by the learned APP Mr. N.R. Rode are that the custodial interrogation of the applicant would not be necessary and it would suffice if he is directed to attend the Police Station, twice a week, till the filing of the chargesheet.

5. The applicant is prosecuted on the basis of report

submitted by the one member committee comprising a learned Judge of this Court. The alleged irregularities pertain to the period 2004-2009. The applicant has retired in the year 2010. It appears that there is no real possibility of the applicant being in a position to tamper with the evidence. The entire documentary evidence is probably with the prosecution and in any event as an employee, who has retired in the year 2010, the applicant would not be in a position to tamper with the said evidence.

6. The interim protection granted vide order 3.4.2020 is made absolute with the only modification that the applicant shall attend the concerned Police Station twice a week from 11.00 a.m. to 2.00 p.m., till the filing of the chargesheet.

Judge