

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

CRIMINAL APPLICATION (BA) 557 OF 2020

(Rameshwar s/o.Vasudeo Borse..vs.. State, thr PSO, PS, Shegaon City, Dist. Buldhana)

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

Court's or Judge's orders.

Shri Anil Mardikar, senior counsel assisted by
Shri V.R. Deshpande for applicant.
Smt. S.S. Jachak, APP for non-applicant.

CORAM: ROHIT B. DEO, J.

DATE:09.09.2020.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard Shri Anil Mardikar, the learned senior counsel for the applicant and Smt. S.S. Jachak, APP for non-applicant.

3. The applicant is in custody in Crime 282/2020 registered with Shegaon City Police Station for offence punishable under sections 406, 409, 420, 468, 471, 109 read with section 120-B of the Indian Penal Code.

4. The applicant is a Bank-Mitra whose role appears to be to assist the customers of the bank in availing the bank services.

5. Perusal of the material on record and particularly the case diary which this Court has thoroughly scrutinized would reveal that not a single account holder implicates the

applicant. The allegations appear to be primarily against accused 1 who then was holding the charge of Manager. The only incriminating material, if at all, are the two entries of ₹ 1,50,000/- and ₹ 2.00 lacs in the account of the applicant. However, the contention of the applicant is that his account was misused by accused 1 and it is the accused 1 who has withdrawn the money. This contention is consistent with the opinion expressed/finding recorded in the audit.

6. The learned APP fairly states that the investigation is complete and the charge sheet is likely to be filed within two weeks.

7. I do not see any reason why the applicant should languish in custody.

8. The applicant shall be released on furnishing P.R. Bond of ₹ 25,000/- with a surety of like amount. Considering the prevailing situation, the surety may be furnished within four weeks of the bail.

9. The applicant shall attend the Shegaon City Police Station every Friday and Saturday from 11.00 a.m. to 1 p.m. and shall cooperate with the Investigating Officer.

10. The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the investigation.

11. The order be communicated to the counsel appearing for the parties, either on the e-mail address or on WhatsApp or by such other mode, as is permissible in law.

Judge

Belkhede RS