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

**ANTICIPATORY BAIL APPLICATION NO. 2505 OF 2021**

PANDURANG SHRIPATRAO KAPSE

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Dushyant S. Pagare for the applicant

Ms. A. A. Takalkar APP for the State

**CORAM : NITIN W. SAMBRE, J.**

**DATE: 16<sup>th</sup> NOVEMBER, 2021.**

**P.C.:**

1] Applicant, Village Development officer is seeking pre-arrest bail in C.R. No. I-342/2021 registered with Shahapur Police Station for Offences punishable under Sections 409, 420 r/w 34 of the Indian Penal Code.

2] The allegations against the applicant are, fish seeds were purchased without approval of Gramsabha.

3] It is informed that tenders were floated pursuant to resolution passed in the Grampanchayat meeting and accordingly seeds were purchased for which amount of Rs. 49250/- and Rs. 49500/- was released through cheque.

4] I am informed that said amount is already redeposited with the Grampanchayat by Ganesh Kamadi, Sarpanch, a co-accused.

5] The fact remains that after purchase of fish seeds, right of fishing was successfully auctioned in next year and revenue was generated to the Grampanchayat.

6] In view of above, in my opinion, at the most the case of irregularity and not illegality could be noticed. There are no criminal antecedents. Applicant is a public servant who is very much available for the investigation. That being so, application is allowed.

(i) In the event of arrest of applicant in C.R. No. I-342/2021 registered with Shahapur Police Station for

Offences punishable under Sections 409, 420 r/w 34 of the Indian Penal Code, he be released on bail on furnishing P.R. bond in the sum of Rs. 15,000/- with one or more sureties in the like amount.

(ii) Applicant shall attend the Investigating Officer from 23/11/2021 to 25/11/2021 between 10.00 a.m. to 12.00 noon and thereafter, as and when directed.

(iii) Applicant shall neither tamper with evidence nor influence the witnesses in any way.

7] Application stands disposed of.

**[NITIN W. SAMBRE, J.]**