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

ANTICIPATORY BAIL APPLICATION NO.1133 OF 2022

**SANTOSHSINGH S/O. DNYANOBASINGH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Shaikh Mazhar A. Jahagirdar
APP for Respondent/State : Mr. V.M. Kagne
...

CORAM : S.G. MEHARE, J.

DATED : 07th SEPTEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The facts of the case have been discussed in detail in the order dated 24.08.2022. Considering the role attributed to the applicant and the case of the prosecution, interim protection was granted to him.
3. Learned APP would submit that there are statements of the witnesses who are deposing against the applicant that he has obtained one signature on the revenue stamp and paid less amount than what was shown on the record.
4. In counter, learned counsel for the applicant would submit that the prosecution has no case against the applicant that he has paid less money to any of the depositors. The case of the prosecution is that the accused have paid the money to Lal Bawta

directly instead of making the payment through the bank. Learned APP has conceded that the applicant was not the authority to maintain the accounts. A higher authority was working above him.

5. It has been alleged that the incident happened in the year 2015. For the first time, witnesses are coming forward alleging that the present applicant has paid them less money. Normally, no person would agree to receive less money. The statements of the witnesses are contradictory to the prosecution's case. In view of the facts of the case, the application deserves to be allowed. Hence, the following order :

ORDER

(A) The Application is allowed.

(B) Interim protection granted to the applicant by order dated 24.08.2022 is confirmed on the same terms and conditions.

(S.G. MEHARE, J.)