

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1116 OF 2021

Datta s/o Laxmanrao Rajegore ...Applicant
Versus
The State of Maharashtra ...Respondent

...
Mr. S.R. Bagul, Advocate for the Applicant.
Mr. S.P. Sonpawale, APP, for the Respondent – State.

...
CORAM : R.G. AVACHAT, J

DATE : DECEMBER 23, 2022.

PER COURT :

1. Heard.

2. This Court had earlier rejected anticipatory bail application of the present applicant finding it to be an economic offence. Applicant at the material time was Headmaster of the school. He is alleged to have obtained approval to a non-existing school and even staff thereof as well. Salary of those employees was withdrawn and allegedly misappropriated. After rejection of his anticipatory bail application, he had approach the Hon'ble the Apex Court in SLP. The Hon'ble the Apex Court has passed the following order:

O R D E R

We are not inclined to interfere with the order passed by the High Court.
The special leave petition is dismissed.

However, if the petitioner surrenders within six weeks from today in the present circumstances, and prays for regular bail, it shall be considered on its own merits without being prejudiced by the present order.

3. Still thereafter, the applicant did not surrender before the trial Court. After long spell of time, he approached this Court again for the same relief on the ground that the investigation was over and co-accused granted bail.

4. The Investigating Officer is present before the Court. He submitted that the magnitude of the offence has now been swelled. The applicant had allegedly withdrawn salary amount worth Rs. 1,35,00,000/- pertaining to the school and staff thereof which were not existing at the relevant time. He wants to have the investigation made and for that further custody of the applicant is warranted.

5. In view of the aforesaid facts and circumstances of the case, this Court is not inclined to grant the applicant pre-arrest bail. Hence, the application stands rejected.

(R.G. AVACHAT, J.)