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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1505 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1355 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1445 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1483 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1439 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1440 OF 2022
WITH
ANTICIPATORY BAIL APPLICATION NO. 1395 OF 2022

Sayyed Atikhullah Husaini Asadullah Husaini

APPLICANT

VERSUS

The State of Maharashtra and Another

RESPONDENTS

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Mr. Shaikh Mazhar A. Jahagirdar, Mr. Shrikant G. Kawade, Mr.
Abhaysinh K.Bhosle, Advocates for the applicant
Mr. N. T. Bhagat, APP for respondent - State

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 8th DECEMBER, 2022

ORDER :

1. The applicants are apprehending their arrest in Crime No.266 of 2022 registered with Anand Nagar Police Station, Osmanabad, District – Osmanabad for the offence punishable under sections 409, 420, 467, 468, 471, 201 read with 34 of the

Indian Penal Code and under sections 13 (1) (c), 13 (1) (d), 13 (2) of the Prevention of Corruption Act.

2. The FIR is lodged by Deputy Superintendent of Police, Anti Corruption Bureau, Osmanabad alleging that on the complaint of one Pashabhai Babulal Shaikh inquiry was conducted and it was found that between the year 2015 to 2017, officers and employees from the office of Labour Commissioner, Osmanabad, in collusion with private agents, have misappropriated government funds of Rs.8,94,000/- by preparing forged documents and gave benefits of government scheme to ineligible persons. The applicants are government officers and beneficiaries of the scheme.

3. Heard learned advocates for the applicants and the learned Additional Public Prosecutor for the State. Perused the investigation papers.

4. The FIR, alleging commission of offence during the period from January, 2015 to December, 2017, is lodged on 8th September, 2022. Prosecution case is based on documentary evidence. Investigating Officer has already seized all the relevant documents. Investigation is still going on.

5. The applicants were granted interim protection. The applicants have attended the police station and have co-operated in the investigation. Nothing is to be recovered from the applicants. Therefore, pre-trial custodial detention of the applicants, in the facts of the present case, is not necessary. The applications are, therefore, allowed by confirming interim orders.

6. Till filing of the charge sheet, the applicants shall attend the concerned police station as and when called by the Investigating Officer. The applicants shall not tamper prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

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