

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

**CRIMINAL ANTICIPATORY BAIL APPLICATION NO.890 OF 2022**

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| Devidas Yashwant Gavit   | ...Applicant   |
| Vs.                      |                |
| The State of Maharashtra | ... Respondent |

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Mr.Amit Icham i/b Mr.Vivek N. Arote for the Applicant.  
Mr.Y.Y. Dabke, APP for the Respondent-State.

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**CORAM : C.V. BHADANG, J.**

**DATE : 1 APRIL 2022**

**P.C.**

. The Applicant, apprehending arrest, in connection with the investigation of Crime No.3 of 2022, registered with Barhe Police Station, under Section 409 of Indian Penal Code, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 16 March 2022 lodged by Manoj Balkrishna Rule who is a Assistant Superintendent at Nashik City Post Office. The allegation is that the Applicant was working as a Post Master at Post Office Barhe from 6 May 2014 to 30 June 2015 and during this period he has committed defalcation approximately of an amount of Rs.20,000/-.

3. The learned Sessions Judge has refused to grant anticipatory bail on the ground that the offence is serious.

4. Upon hearing the learned counsel for the parties it transpires that the amount has been recovered from the Applicant which has also been noted by the learned Sessions Judge. The Applicant was proceeded Departmentally and has been terminated after due inquiry. The FIR is lodged in the year 2022 in respect of the alleged defalcation for the period from 6 May 2014 to 30 June 2015.

5. The learned Additional Public Prosecutor, in such circumstances, submitted that the Applicant may be directed to join the investigation and report to the Investigating Officer as and when required.

6. In such circumstances, the following order is passed.

**ORDER**

(i) In the event of his arrest in connection with investigation of Crime No.3 of 2022, registered with Barhe Police Station, the applicant-Devidas Yashwant Gavit shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

(ii) The applicant shall report to the Investigating Officer on 6 and 7 April 2022 between 11.00 am to 1.00 p.m. and as and when called by the investigating officer and shall co-operate with the Investigating Agency.

(iii) The applicant shall not tamper with the prosecution evidence/witnesses.

(iv) The Criminal Application is disposed of in the aforesaid terms.

**C.V. BHADANG, J.**