

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1790 OF 2022

Mohan Tatya Kasbe	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Sarang Aradhye, Advocate for the Applicant.

Mr. M. G. Patil, APP for the Respondent – State.

Mr. Sukhdeo Prakash Gode, PSI, Pandharpur Taluka Police Station present.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	10th October, 2022.

PER COURT:

1. The applicant is seeking pre-arrest bail in connection with C.R. No.102 of 2022 registered with Pandharpur Taluka Police Station, Pandharpur for the offences punishable under Sections 409, 420, 468, 469 and 471 of the Indian Penal Code.
2. The case of the prosecution is that, one Radhesham Ramdas Phatke has lodged the complaint against the applicant contending that, the Auditor Category 1 of Co-operative Society, Pandharpur Sanstha, Pandharpur was working on this post.
3. He has the audit work of the co-operative department test audit etc. District Deputy Registrar of Co-operative, Solapur has directed him to conduct the audit. The serious matters came to light in the test audit

and the report has been submitted, several other allegations are stipulated in the FIR.

4. The applicant had under taken to deposit amount alleged to have been de-frauded by the applicant in the capacity of secretary of Kharsoli vivid society.

5. Vide order dated 19th September, 2022, the submission of the Advocate for the applicant was recorded that, the amount is already repaid and the evidence in support of such deposit will be produce on record by filing additional evidence. The applicant has filed affidavit along with receipt in the affidavit. It is submitted that, the applicant was appointed as a secretary of the society in the year 2011. He has deposited an amount of Rs.3,74,100/- as referred in the FIR. In the District Central co-operative bank (Kamdhenu Solapur) on 23rd February, 2022 and 14th February, 2022 under protest. Thus, the alleged amount of miss-appropriation is deposited. The affidavit is taken on record.

6. In this circumstances application can be allowed.

ORDER

(i) Criminal Anticipatory Bail Application No. 1790 of 2022 is allowed.

(ii) In the event of arrest of the applicant in

connection with C.R. No.102 of 2022 registered with Pandharpur Taluka Police Station, Pandharpur, the applicant be released on bail on executing PR. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer as and when called for till filing the charge-sheet.

(iv) Criminal Anticipatory Bail Application disposed off.

(PRAKASH D. NAIK, J.)