

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Anticipatory Bail Application No. 203 of 2022

Ramesh Kisanrao Chavan

Versus

State of Maharashtra, through Police Station Officer, Police Station Aheri,
District Gadchiroli

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.R.Vyas, Advocate for the applicant.

Shri Vinod Thakare, APP for the non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 18th APRIL, 2022.

The applicant is seeking pre-arrest bail in Crime No. 36 of 2022, dated 27th January, 2022 registered with Aheri Police Station for the offences punishable under Sections 406, 409 read with Section 34 of Indian Penal Code.

2. Shri Vyas, learned counsel for the applicant submits that he is a grader and the main role is of Maharashtra Rajya Sahakari Adivasi Vikas Mahamandal Maryadit, who is a sub-agent. He has drawn attention of this court to the complaint made by the applicant in

the month of May, 2021 i.e. much prior to the First Information Report, pointing out irregularities in taking care by the society and inappropriately keeping the stock of rice. It is submitted that the said complaint shows bonafides of the applicant and it further shows that the applicant is not involved in the alleged offence.

3. On the other hand, Shri Thakare, learned Additional Public Prosecutor strongly opposed the application and submits that the applicant is a grader and played main role in the alleged offence. It is further submitted that even his son was involved in the alleged offence.

4. Learned Additional Public Prosecutor has drawn attention of this Court to the statement of witnesses recorded by the Investigating Officer during the investigation which are available in the case diary. He, therefore, submits that there is sufficient incriminating material available against the applicant and accordingly he prays for rejection of the application.

5. I have perused the case diary and also the contents of the First Information Report. In the case diary, there are statement of witnesses who supports the case of the prosecution. *Prima facie*, there is sufficient

incriminating material showing the involvement of the applicant in the alleged offence.

6. From the statement of witnesses, *prima facie* it appears that even though there was no purchase of rice, the applicant and his son collected 7/12 extract from many agriculturists and when the amount was deposited, the applicant withdrew part of it for his own benefits. Thus, the case of the applicant that he is grader and has no connection with the alleged offence, *prima facie* cannot be accepted. In the circumstances, I pass the following order.

ORDER

- i. Application is rejected.

[ANIL S. KILOR, J.]

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