

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

CRIMINAL APPLICATION (ABA) NO.508 OF 2021

Dhiraj S/o Dharamraj Bagade

Versus

State of Maharashtra, through P.S.O., P.S. Sadar, Nagpur

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

Court's or Judge's Order

Shri P.S.Jaiswal, Advocate for the applicant.

Ms S.S. Jachak, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 22/03/2022

Heard.

2. In this case, the applicant is seeking pre-arrest bail in Crime No.298 of 2021, dated 16.07.2021 registered with Police Station Sadar, District Nagpur (City), for the offences punishable under Sections 468, 471 and 474 of the Indian Penal Code against the two accused persons, including the applicant, who is the accused No.1. A complaint was lodged by Naib Tahsildar, alleging that without having any sanctioning authority, the accused persons granted benefits of various Government Schemes to the persons, who were not entitled to receive such benefits.

3. The applicant was transferred as Junior Clerk on 01/03/2020 and the alleged offence came to the fore in the month of July, 2021 i.e. after one and half year from the date the applicant was relieved.

4. This Court vide order dated 13.08.2021, granted *ad-interim* protection to the applicant and as one of the conditions, he has attended the Police Station and there is no complaint about misuse of liberty by the applicant.

5. I have perused the Case Diary and contents of the First Information Report.

6. The complaint was lodged by the Naib Tahsildar, after making inquiry at the departmental level and on revelation of various irregularities and illegalities. The revelations made in the report are based on the documents which were in the custody of the complainant.

7. As observed herein above, that the applicant has been attending the concerned Police Station from the month of August, 2021 and there is nothing to show that the custody of the applicant is necessary in this matter.

8. In that view of the matter, I am of the opinion that the order dated 13.08.2021, needs to be confirmed. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.

b) Order passed by this Court on 13.08.2021, granting *ad- interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]