

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

CRIMINAL APPLICATION (ABA) NO.592 OF 2022

Shri Shriniwas S/o Bhagwan Chutkulwar .Vs. State of Maharashtra, through P.S.O.,
P.S. Patan, Dist. Yavatmal

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

Court's or Judge's Order

Shri A.M. Ghare, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 30/08/2022

1. The applicant is seeking pre-arrest bail in Crime No.86 of 2022, dated 23.06.2022, registered with Police Station Patan, District: Yavatmal, for the offences punishable under Sections 420, 467 and 468 of the Indian Penal Code.

2. Shri Ghare, learned counsel for the applicant submits that the name of the applicant was not feature in the First Information Report (FIR), however, subsequently on the basis of Departmental Inquiry conducted by the Bank, he has been arraigned as accused.

3. It is submitted that the Bank has conducted departmental inquiry and pending which the Bank has suspended the applicant. He further submits that as far as the present crime is concerned, the main accused has already

been released on bail. Accordingly, he prays for grant of pre-arrest bail on principle of parity.

4. The learned counsel for the applicant further points that, on four caissons, he attended the concerned Police Station and cooperated the Investigation Officer (IO) in investigation and as such, further custodial interrogation of the applicant is not necessary in this case.

5. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application and submits that there are inquiry reports wherein categorical findings have been recorded against both the accused persons. He therefore, prays for rejection of the present application.

6. I have perused the Case Diary and the application.

7. The inquiry conducted by the Bank shows that the allegations made against both the co-accused persons including the applicant are similar.

8. In the light of the said fact, as the co-accused Rajiv Yeltiwar has already been released on pre-arrest bail by the Sessions Judge, Kelapur vide order dated 18.07.2022, I am of the opinion that, the applicant is entitled for grant of

pre-arrest bail on the principle of parity. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 10.08.2022, 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.]