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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.453 OF 2023

**SAMADHAN GONDU NIMBHORE (CHAMBHAR)
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Harshal Prakash Randhir
APP for Respondent/State : Mr. K.S. Patil
...

CORAM : S.G. MEHARE, J.

DATED : MARCH 31, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant has been arraigned as an accused for misappropriating the public money. The investigation officer find that the amount of Rs.37,99,000/- was transferred in the account of the applicant and some amount was transferred in the name of his relatives.
3. The counsel for the applicant would submit that he has been made a scapegoat in the case. He has cooperated with the investigation. However to show the bonafide, he is ready to deposit Rs.37,99,000/- in two installments, first installment would be deposited forthwith and second would be deposited within two months. He would submit that, that apart, nothing is to be recovered

and discovered from him. The offence pertains to the documents. The documents have been seized.

4. Learned APP would submit that the investigation is in progress. Huge amount has been siphoned and the public exchequer is put to the loss.

5. Perused the papers. It seems that the prosecution has a documentary evidence of transferring the money in the accounts of the applicant and his relatives. The relatives are not under the control of the applicant. The papers show that the material investigation has been completed. The relevant documents which is the base of the crime have been seized. Nothing is to be investigated from the applicant. Therefore, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Samadhan Gondu Nimbhore, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.126 of 2022, registered with Raver Police Station, District Jalgaon for the offence punishable under Section 406, 409, 420, 465, 467, 468, 471 r/w 34 of the Indian Penal Code, on the conditions that he shall not tamper with the prosecution witnesses.

(3)

(iii) The applicant shall deposit Rs.37,99,000/- in two equal installments, first immediately and second would be within two months after his release on bail.

(iv) If the applicant fails to comply with the terms of the order, his bail application would automatically cancelled.

(v) The applicant shall deposit the amount as offered by him in the account of Panchayat Samiti Raver, Swaccha Bharat Mission bearing A/c no.0486104000158770.

(vi) The applicant shall attend the trial on each and every effective date.

(S.G. MEHARE, J.)