

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

ANTICIPATORY BAIL APPLICATION NO.840 OF 2023

**GAJANAN RAMBHAU GARAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. S. J. Salunke, Advocate for the applicants
Mr. S. W. Mundhe, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 30th AUGUST, 2023

P.C. :-

1. Applicants apprehend arrest in connection with Crime No. 7/2015 registered with Jintur Police Station, District Parbhani for the offences punishable under Sections 406, 409, 420, 467, 471, 120(B) of IPC.
2. The first information report shows that the allegations were made by the informant in respect of the misappropriation of the fund in implementation of the Employment Guarantee Scheme. The allegations against the present applicants who are the bank official is that in collusion with the co-accused the said misappropriated amount was withdrawn from the account.
3. Learned counsel for the applicants states that the applicants are working continuously since the time of registration of crime against them and to substantiate the said contention he has filed certificate issued

by the bank to that effect on record. It is his further contention that all co-accused are granted anticipatory bail and having regard to the nature of allegations against the present applicants, their liberty deserves to be to be protected.

4. Learned APP opposed the application by submitting that in the first information report allegations are made that in collusion with the bank official the amount of the scheme was misappropriated.

5. There is not disputes about the fact that the offence in question is of the year 2015. Charge-sheet is already filed. There is nothing on record to indicate that the present applicants absconded at any point of time. Since the co-accused already enlarged on bail and as there is no *prima facie* evidence to connect the present applicants with crime in question, application deserves to be allowed in terms of interim order dated 30th May, 2023.

(R. M. JOSHI, J.)

ssp