



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1479 OF 2023

Bhaskar Sitaram Patil

...Applicant

Versus

The State of Maharashtra & Anr

...Respondents

...

Mr. M. N. A. Shaikh, Advocate for the Applicant.

Mr. S. B. Jadhav, APP, for the Respondent – State.

...

CORAM : R.M. JOSHI, J

DATE : DECEMBER 12, 2023

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 154 of 2023 registered with Taluka Bhusawal Police Station, Dist. Jalgaon for the offences punishable under Sections 420, 408, 465, 467, 468, 471 read with Section 34 of the Indian Penal Code and Section 81(5B) of Maharashtra Co-operative Society Act.

2. First information report shows that in the audit conducted of Varadsim Vivid Karyakari Seva Sahakari Sanstha it was found that the entries were not taken of the record properly. Misappropriation is also found to have been committed during the tenure of

secretary i.e. present Applicant. It is alleged that bogus documents and false documents were prepared for the purpose of said misappropriation. There is also allegation against Dhake, Clerk that instead of depositing the money of the members in the society, he misappropriated the same.

3. Learned Counsel for the Applicant submits that though Applicant was secretary, during the relevant period allegations are against Dhake of forging the signatures of the Applicant and misappropriating the funds of the society. It is submitted that Dhake is died now. Thus, according to him, it is a fit case to confirm interim relief.

4. Though learned APP opposed the application, however, from the statements of the members of the indicates that it was Dhake who used to receive money from them and that it was he who had issued receipts by forging the signatures of the Applicant.

5. Having regard to these facts, nothing is to be recovered at the instance of Applicant. His involvement

in the crime *prima facie* is not seen. He has not misused liberty granted by this Court. Hence, application stands allowed by confirming interim order dated 08th September, 2023.

(R. M. JOSHI, J.)

Malani