

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 69 OF 2023

Yuvraj Rambhai Pawar ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Shailesh Chavan instructed by Mr. Adesh Kale for the Applicant.

Ms. Veera Shinde, APP for the State.

API Rahul Ghuge, Baramati Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 11 JANUARY 2023

P.C. :-

1. This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicant is apprehending his arrest in Crime No. 571 of 2022 registered at Baramati Police Station, for the offences punishable under Sections 420, 468 r/w. 34 of Indian Penal Code.

3. According to the prosecution, the applicant was working with Siddheshwar Vividh Karyakari Sahkari Seva Sanshta, Nimbodi as Peon and in spite of it he simultaneously got appointed as Peon in Grampanchayat Nimbodi in connivance with Sarpanch and Gramsevak of the said Grampanchayat. It is alleged that the applicant had drawn salary of both the posts.

4. I have heard the learned Counsel for the applicant and the learned APP for the State.

5. The learned Counsel for the applicant submits that the applicant was working with Siddheshwar Vividh Karyakari Sahkari Seva Sanshta, Nimbodi as Sweeper and it was purely temporary appointment. It is submitted that his working hours with the said society and Grampanchayat were not overlapping.

6. It appears that the applicant was appointed by resolution passed by the Grampanchayat, Nimbodi. It is not shown that the appointment of applicant was made in violations of law or rules. Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the present applicant. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicant - Yuvraj Rambhai Pawar in Crime No. 571 of 2022 registered at Baramati Police Station, for the offence punishable under Sections 420, 468 r/w. 34 of Indian Penal Code, he shall be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(iii) The applicant shall attend the concerned police station as and when called by the investigating officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)