

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 609 OF 2020**

Rohidas Bapuso Murkute ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Sanjeev Kadam i/b Mr. Shreyas Barsawade for the Applicant.

Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 16 FEBRUARY 2023

P.C. :-

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

2. According to the prosecution, the present applicant and other co-accused, who were Chairman, Directors and employees of the Shivshatri Co-operative Credit Society had misappropriated the amount of the said society to the tune of Rs. 6,63,96,097/-.

3. On 12 March 2022, this Court passed the following order:

“1. Apprehending arrest in C.R. No.381/2017 registered with Chaturshringi Police Station, Pune, for the offences punishable under Sections 420, 406, 408 read with Section 34 of the Indian Penal Code, the applicants are seeking pre-arrest bail.

2. Pending application, the learned Additional Sessions Judge, Pune had granted interim protection to the applicants till the disposal of the applications. It appears, interim relief was continued by the learned Additional Sessions Judge till 12th March, 2020.

3. Learned APP seeks time to verify. Time granted. Stand over to 31st March, 2020.

4. In the meantime, in the event of arrest of the applicants in C.R. No.381/2017 registered with Chaturshringi Police Station, Pune, they shall be released on bail on furnishing P.R. Bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties in the like sum.

5. The applicants shall report to the Investigating Officer on 23rd and 27th March, 2020 between 11:00 to 1:00 p.m. and thereafter as and when called.

6. The applicants shall furnish the particulars of their place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

7. The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.”

4. The learned counsel for the applicant submits that there is no material to connect the applicant with the alleged misappropriation. It is submitted that on the contrary the applicant is exonerated in the inquiry conducted by the competent authority under Section 88 of the Maharashtra Co-operative Societies Act.

5. It appears that the prosecution has already filed the charge-sheet. Considering the overall facts and circumstances, I am inclined to allow the present application. Interim order passed by this Court dated 12 March 2022 is hereby confirmed.

6. Application is disposed of.

(N.R. BORKAR, J.)