

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2611 OF 2021

1] Joga Ram Bhikha Ram
2] Mangilal Bhimaram Choudhary ... Applicants

Versus

Union Territory of Dadra and Nagar
Haveli and Daman and Diu ... Respondent

WITH
INTERIM APPLICATION NO. 1126 OF 2022

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Mr. Manoj Badgujar for the Applicants.
Mr. Harsh Dedhia instructed by Mr. Hiten Venegaonkar for Respondent No.1.
Mr. Amit Palkar, APP for the State.
Mr. Tejas Dhotre for the Intervenor.

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CORAM : N.R. BORKAR, J.

DATED : 31 MARCH 2023

P.C. :-

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

2. The applicants are apprehending their arrest in Crime No. 42 of 2020 registered at Silvassa Police Station, for the offence punishable under Section 381 of Indian Penal Code.

3. I have heard the learned Counsel for the applicants, the learned standing Counsel for Respondent/Union Territory and the learned Counsel for the Intervenor.

4. According to the complainant, on 1 May 2014 he had appointed the present applicants in his Wholesale Grocery Agency as Accountants and to look after business of his Agency and they worked with him till the year 2019. According to the complainant, during the said period the present applicants misappropriated Rs.45,40,115/-.

5. It is not the case of the complainant that he got the accounts audited or verified for the first time in the year 2020. There appears to be no need of custodial interrogation. Considering the overall facts and circumstances, I am inclined to grant anticipatory bail to the present applicants. In the result, the following order is passed :

- (i) Application is allowed.
- (ii) In the event of arrest of the applicant No.1] Joga Ram Bhikha Ram and applicant No.2] Mangilal Bhimaram Choudhary in Crime No. 42 of 2020 registered at Silvassa Police Station, for the offence punishable under Section 381 of Indian Penal Code, they shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.
- (iii) Interim application for intervention is disposed of.

(N.R. BORKAR, J.)