



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 920 OF 2024
WITH ANTICIPATORY BAIL APPLICATION NO. 784 OF 2024

Vilas Pandit Survase
VERSUS
The State Of Maharashtra And Another

Mr. S. J. Salunke, Advocate for the applicant
Mrs. P. R. Bharswadkar, APP for the respondent/State

CORAM : R. M. JOSHI, J.
DATE : 21st JUNE, 2024

PER COURT :-

1. Learned counsel for the applicant submits that the liberty of co-accused is protected. On statement made by the co-accused that the amount alleged to have been misappropriated had already deposited with the Bank. As far as present case is concerned, without prejudice to the rights and contention of the applicant, the statement is made, on instructions, that the applicant is ready to deposit a sum of Rs.4,36,000/- within a period of two weeks. He, therefore, seeks interim protection.

2. Learned APP opposed the grant interim of any protection on the ground that the co-accused whose liberty is protected was is a lady. Thus, the said order would not apply to the present applicant. He also

drew attention of the Court to the observations made by the learned Additional Sessions Judge while rejecting the application for anticipatory bail.

3. Perusal of the order passed by the learned Additional Sessions Judge indicates that the Judge has relied upon the remand report indicating that amounts allegedly misappropriated by the present applicant. It is also recorded therein that the applicant was is working as a Clerk in the said society. Perusal of the remand report sought to be relied by learned counsel for the applicant *prima facie* indicates that amounts are said to have been due against present applicant under the different heads and that the Chief Executive Officer of the Society/Bank is responsible for the misappropriation. Applicant is a clerical employee. He is ready to deposit alleged amount due against him.

4. Having regard to the afore-stated facts, this Court finds it appropriate to protect the liberty of the applicant subject to the applicant depositing of Rs.4,36,000/- with the Society/bank. Applicant to place on record a tangible evidence showing deposit of the same amount before the next date of hearing. Hence the order.

ORDER

(i) Till the next date, in the event of arrest of applicant in connection with Crime No. 0015/2024, registered with Sonpeth Police Station, Dist. Parbhani for the offences punishable under Sections 420, 409 r/w 34 of IPC, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one surety in the like amount.

(ii) He shall attend the concerned police station once in a week.

(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He is further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to concerned Police Station.

5. Issue notice to the respondents, returnable on 28th June, 2024. Learned APP waives service of notice for respondents/State.

(R. M. JOSHI, J.)

ssp