



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

APPLICATION FOR CANCELLATION OF BAIL NO. 84 OF 2024

**THE STATE OF MAHARASHTRA
VERSUS**

SANTOSH S/O BHASKARRAO SURWASE

Mr. C. B. Bhadane, APP for the applicant
Mr. S. J. Salunke, Advocate for the respondent

AND

APPLICATION FOR CANCELLATION OF BAIL NO. 85 OF 2024

**THE STATE OF MAHARASHTRA
VERSUS**

GANESH S/O BHANUDAS SOLANKE

Mr. C. B. Bhadane, APP for the applicant
Mr. S. J. Salunke, Advocate for the respondent

AND

APPLICATION FOR CANCELLATION OF BAIL NO. 83 OF 2024

**THE STATE OF MAHARASHTRA
VERSUS**

LAXMAN S/O RANGNATH SAVANT

Mr. C. B. Bhadane, APP for the applicant
Mr. S. J. Salunke, Advocate for the respondent

AND

APPLICATION FOR CANCELLATION OF BAIL NO. 86 OF 2024

**THE STATE OF MAHARASHTRA
VERSUS**

VISHWAMBHAR PANDURANG SHINDE

Mr. C. B. Bhadane, APP for the applicant

AND

APPLICATION FOR CANCELLATION OF BAIL NO. 87 OF 2024

THE STATE OF MAHARASHTRA

VERSUS

VITTHAL DESAI DHASALKAR

Mr. C. B. Bhadane, APP for the applicant

Mr. S. J. Naik, Advocate for the respondent

AND

APPLICATION FOR CANCELLATION OF BAIL NO. 67 OF 2024

SHRIRAM MACHINDRARAO BAHIR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

Mr. M. P. Kale, Advocate for the applicant

Mr. S. J. Naik, Advocate for the respondent

CORAM : R. M. JOSHI, J.

DATE : 10th OCTOBER, 2024

PER COURT :-

**ORDER BELOW APPLICATION FOR CANCELLATION OF
BAIL NOS. 67 OF 2024 AND 87 OF 2024**

1. These two applications are filed by the informant and State for cancellation of anticipatory bail granted by the Addl. Sessions Judge by order dated 16/03/2024.
2. Heard learned counsel for the applicant and learned APP.
3. It is the contention of the applicant that the respondent is Director of the Co-operative Credit Society and therefore, the Addl.

Sessions Judge has committed error in granting him anticipatory bail.

4. Perusal of the record indicates that the period for which the alleged misappropriation has been committed is financial year 2020-2021 and 2022-2023. Undisputedly, the respondent Vitthal was elected on 28/06/2023 as a Director of the Society and he resigned from the said post on 28/07/2023. His resignation was accepted in the meeting of the Board of Directors on 31/07/2023. Thus, he was the Director of the said Credit Society only for 20 days. There is no other evidence on record to indicate that he is involved in the affairs of the society and party to this crime. Hence, this Court finds no substance in the challenge to the order passed by the Addl. Sessions Judge dated 16/03/2024 granting anticipatory bail to the respondents. Hence, these applications are dismissed.

**ORDER BELOW APPLICATION FOR CANCELLATION OF
BAIL NO 86 OF 2024**

5. This application is for cancellation of bail filed by the State. The learned Addl. Sessions Judge by order dated 26/04/2024 passed in connection with Crime No. 17/2024 registered with Majalgaon City Police Station, Majalgaon Dist. Beed for the offences punishable under sections 409, 420, 467, 468 r/w 34 of the IPC and Sections 3 and 4 of the MPID Act has granted anticipatory bail to the respondent Vishwambhar

Pandurang Shinde.

6. Learned APP submits that the respondent was the Director of the Credit Society since year 2016 onwards. Thus, according to him his involvement can be assumed in the crime. He pointed out the notification published indicating his election as Director in the year 2016.

7. Perusal of the impugned order indicates that the respondent had resigned from the Directorship on 12/06/2019 and the said resignation was accepted on 01/07/2019. There is nothing on record to indicate that he was elected/ appointed as a Director of the Credit Society at any point of time thereafter. The Addl. Sessions Judge has observed that the period of misappropriation on the basis of audit report is financial year 2020-2021 to 2022-2023 and that respondent herein is not concerned with the same. Hence, this Court finds no reason for interfering in the said order of granting anticipatory bail. Hence, application is dismissed.

**ORDER BELOW APPLICATION FOR CANCELLATION OF
BAIL NO 83 OF 2024**

8. This application is for cancellation of bail filed by the State. The learned Addl. Sessions Judge by order dated 02/04/2024 passed in connection with Crime No. 17/2024 registered with Majalgaon City Police Station, Majalgaon Dist. Beed for the offences punishable under sections

409, 420, 467, 468 r/w 34 of the IPC and Sections 3 and 4 of the MPID Act has granted anticipatory bail to the respondent Laxman Savant.

9. Learned APP submits that there is evidence collected during the course of investigation that the present applicant had signed the minutes in the year 2021 in respect of the said Credit Society.

10. Learned counsel for the respondent opposed the said contention by pointing out that for the first time respondent was elected as a Director on 28/06/2023 and he immediately resigned from the Directorship on 12/07/2023 which was accepted on 31/07/2023.

11. Perusal of the record does not indicate that the respondent was elected as Director at any time prior to 28/06/2023. Thus, this Court finds no error committed by the Addl. Sessions Judge in making observation that the respondent was Director only for the period of 3 to 4 days practically. Hence, there is no reason for causing interference in the order. Hence, application stands dismissed.

**ORDER BELOW APPLICATION FOR CANCELLATION OF
BAIL NO 85 OF 2024**

12. This application is for cancellation of bail filed by the State. The learned Addl. Sessions Judge by order dated 14/03/2024 passed in connection with Crime No. 17/2024 registered with Majalgaon City Police

Station, Majalgaon Dist. Beed for the offences punishable under sections 409, 420, 467, 468 r/w 34 of the IPC and Sections 3 and 4 of the MPID Act has granted anticipatory bail to the respondent Ganesh Solanke.

13. Learned APP submits that respondent was Director of the Credit Society for the period from 2016-2022. Thus, it is his contention that the Addl. Sessions Judge has committed error in granting anticipatory bail to him.

14. Learned counsel for the respondent has pointed out that though respondent was elected in the year 2016, he resigned from directorship on 26/09/2018. It is accepted on 16/10/2018.

15. Perusal of the order passed by the Addl. Sessions Court indicates that the afore stated facts as pointed out by the learned counsel for the respondent are duly taken into consideration while granting anticipatory bail to the respondent. No error is committed by Sessions Court in appreciating facts on record and protecting liberty of respondent. Hence, application is dismissed.

**ORDER BELOW APPLICATION FOR CANCELLATION OF
BAIL NO 84 OF 2024**

16. This application is for cancellation of bail filed by the State. The learned Addl. Sessions Judge by order dated 21/03/2024 passed in

connection with Crime No. 17/2024 registered with Majalgaon City Police Station, Majalgaon Dist. Beed for the offences punishable under sections 409, 420, 467, 468 r/w 34 of the IPC and Sections 3 and 4 of the MPID Act has granted anticipatory bail to the respondent Santosh Surwase.

17. Learned APP submits that respondent was Director of the Credit Society. The said submission is opposed by the learned counsel for the respondent by contending that the respondent was Director of the Credit Society only for the period of 28 days from 28/06/2023.

18. These facts are duly considered by the learned Addl. Sessions Judge clearly show that the respondent is not involved in affairs of society. Hence, this Court finds no perversity in the said finding. As a result of which, application stands dismissed.

(R. M. JOSHI, J.)

ssp